

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Mission Statement	Order No: 101	
Rescinds: GO 101 Revised: 08/01/07	CFA 5th:	Revised: 05/07/15
Reference: None		

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101	<u>Policy</u>
101.1	<u>Mission Statement</u>

101 Policy

- A.** Our mission is a commitment to quality performance from all members. It is critical all members understand, accept, and be aligned with the responsibilities established by this mission. It provides the foundation upon which all operational decision and organizational directives are based. Directives include general orders, operating policies, procedures and practices.
- B.** Our mission represents the commitment of this administration to the concepts of quality performance management. In other words, members are expected to work consistently in a quality manner in the daily performance of those duties, job responsibilities and work tasks associated with this mission.
- C.** *Quality manner* means that performance outcomes comply with the performance standards established for this agency and for each member associated with this agency. Examples of performance standards include: oath of office, code of ethics, agency policies, general orders, procedures, directives and supervisory orders, work productivity and performance behavior.
- D.** The Agency has adopted standards set forth by the Commission for Florida Law Enforcement Accreditation (CFA).

101.1 Mission Statement

- A.** “Connect – Serve – Impact”

- a. **Connect** - Build trust within the community by being honest, transparent, and continually grow relationships with our citizens, visitors, and business community.
- b. **Serve** - Provide ethical, responsible, and professional police services
- c. **Impact** - Make a positive difference by working with our citizens, community and other City departments on quality of life issues, reducing crime, and reducing the fear of crime.

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Subject: Organization and Authority		Order No: 102	
Rescinds: GO102 Revised: 05/04/16		CFA 5th: 1.02, 1.03	Revised Date: 01/30/19
Reference: Organizational Chart			

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102 Policy

- A.** This policy provides direction with a clear command structure to the members of this Agency in terms of supervision, management and the handling of multi-agency activities. This policy clearly vests in the Chief of Police the authority to issue, modify, and/or approve the written directive system. It also identifies those persons or positions other than the Chief of Police who may issue written directives, general orders and operating procedures.
- B.** This policy further sets the tone and direction in terms of the Agency's goals as a service-oriented Agency for this community. Wherever gender-specific terminology is used in any Agency communications, this terminology will be construed as applying to males and females, equally.
- C.** In the event that any Agency directive conflicts with any law or decision of a court of competent jurisdiction, such law or court decision will be controlling.

102.1 Organizational Structure

- A. Components** - The component structure of the Agency consists of the Office of Chief of Police, Executive Division, Uniform Services Division, Investigations Division, Special Operations Division and Support Services Division. The structure of the Agency and its sub-parts indicate the progressive authority of normal operations. The Chief of Police or his designee will have sole authority in any revisions to this process.

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- B. Composition of Staffing** - The members of the Agency will be composed of sworn law enforcement officers and non-sworn personnel (civilians). The strength of the Agency will not exceed the number of personnel authorized by the City Council for the ranks and positions within the Agency.
- C. Coordinated Components** - The organizational structure of the Agency establishes and defines the components that will direct and coordinate operational and administrative activities. These components group line functions that must carry out the activities of the Agency.
- D. Organizational Chart** - The organizational structure of this Agency is outlined in an organizational chart. It clearly reflects the chain of command and the line of authority as it relates to communication and control within the Agency. This chart will be reviewed at least annually and updated on an as-needed basis for corrections or deletions [Organizational Chart](#). This chart will be prominently posted in each division and sub-station and accessible to all personnel.
- E. Intra-agency Cooperation** - All Agency components are responsible for operational effectiveness and should strive to enhance coordination and cooperation with other organizational components. It is the responsibility of all personnel to enhance and assist in the development of intra-agency cooperation and coordination.
- F. Function Specific** - The responsibilities and authority of each component of this organization are specified in General Orders and no component or employee, thereof, will perform any function reserved for another component except with the authorization of the Chief or his designee.

102.2 Component Structure

- A. Office of the Chief** - The Chief of Police is responsible for the overall administration of the Agency and for direction of all functions, activities and operations. The Chief establishes the policies and mission of the Agency. The Chief is accountable to the City Manager for the general police service functions and reports to the City Manager on police matters and activities.
- B. Executive Division** - The executive component is within the Office of the Chief and is accountable directly to the Chief for administrative matters and functions relating to the entire Agency.
- C. Division** - The division components are responsible for the execution of the mission and function of the Agency. The commander of each division is accountable directly to the Chief. The division commanders are charged with

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the overall management of the personnel and resources by directing the division under their office.

- D. Section** - The section components of a division are responsible for determining tasks necessary to accomplish the designated functions of the division. The supervisor of a section is charged with directing, assigning and supervising line personnel in the completion of their tasks.
- E. Unit, Squad, and Team** - Unit, squad and team components are within a division or section. Members assigned to a unit, squad or team perform tasks of the section. Units, squads or teams are composed of line and support members performing assignments given by the section supervisor. Members are responsible for the completion of tasks within Federal and State laws, Agency General Orders, Operating Procedures and any direction as specified by supervisory or command staff. All personnel are directly responsible to one member of the supervisory or command staff.

102.3 Unity of Command

- A. Supervisor Accountability** - In an effort to provide accountability as well as responsibility for individual actions, each employee will be accountable to only one supervisor at any given time. Supervisors will ensure their employees understand the rules, regulations and directives of this Agency and will promote the efficiency and responsibility of job performance of each employee. There may be times when a supervisor or commander must provide direction to employees outside of their chain of command. In those rare circumstances, the personnel are expected to do what is requested of them and that commander or supervisor will, as soon as is practicable, notify the employee's supervisor of the direction given. In ordinary circumstances, however, each employee should be able to identify one supervisor to whom they are accountable. For sworn personnel, supervisor also includes the position of Corporal.
- B. One Component/One Supervisor** - Each organizational component will be under the direction of only one supervisor. That supervisor will be accountable for that component's productivity and activity, either positive or negative, within that organizational component.
- C. Command Responsibility Exceptional Incidents** - In an **exceptional incident** or other extenuating circumstance, the senior command personnel assigned to the operational components are responsible for setting up, maintaining and controlling the situation. **Generally, command and control will be assumed by the supervisor of the operational component best suited to carry out the ultimate goal of the operation.** In effect, if an operational situation of a tactical nature should occur, the command staff from the operational component would be in charge. Administrative Commanders,

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Managers or Supervisors will subordinate themselves to the operational commander in tactical situations. A tactical situation would allow for the on-duty field commander (Division Commander or Lieutenant) to be the operational commander. When a Division Commander or Chief of Police arrives on the scene, they reserve the authority to allow the on-duty field commander to continue to handle the situation.

D. Personnel of Different Functions Engaged in Single Operation -

Situations involving personnel of different functions engaged in a single operation will operate under the direction of the incident commander.

1. USD personnel who have gained control of a homicide or other major crime scene will relinquish command to the Investigations Division personnel when requested.
2. Special investigations operations utilizing canine, USD, or other personnel from different functions would remain under the command of the Special Investigations Unit or assigned commander.
3. When searching for escaped prisoners or lost children, personnel from other divisions may be called to assist, however, USD will maintain command authority.

102.4 Span of Control

A. Limitations - Span of control establishes a limit to the number of officers per supervisor depending on the unit, section or division they are working in. Another variable may be the type of operation being undertaken. In this Agency, span of control should not exceed the following levels.

1. **Uniform Services** - 10 officers per Sergeant.
2. **Criminal Investigations Section** - 6 officers per Sergeant.
3. **Special Investigations Unit** - 6 officers (investigators, and one technical support officer per Sergeant).

B. Hierarchy Rule - As the level of hierarchy increases, span of control decreases based on responsibility. Span of control for the Office of Chief of Police should be limited to eight subordinates.

C. Operational Necessity - Span of control can be increased or decreased if the efficiency of the operation is affected. In certain operational situations, the span of control may be reduced or expanded based on tactical decisions being made. This responsibility rests with the senior operational commander on the scene.

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102.5 Command Authority in Normal day-to-day Agency Operations - During periods of planned absence, command authority will be delegated in writing to the next lower rank within the component's chain of command. In the event of unexpected absences, the following delegations will be automatic:

A. Office of the Chief of Police - In the absence of the Chief of Police, the following succession will go into effect:

1. The Deputy Chief, or as designated by the Chief, will succeed the Chief's absence.
2. A Commander will be appointed by the Chief of Police in the event both the Chief of Police and Deputy Chief of Police are both absent.

B. Support Services Division Commander - In the absence of the Division Commander, the following succession will go into effect:

1. The Support Services Division Lieutenant or person previously designated, in writing, as the Acting Division Commander.
2. The Sergeant of the Training Section succeeds in the absence of a previously designated person.
3. The Manager of the Logistics Section succeeds in the absence of the Training Section Sergeant.
4. A Manager of the Community Services Division will assume command relative to Support Services Division matters until relieved by command personnel.

C. Investigations Division Commander - In the absence of the Investigations Division Commander, the following succession will go into effect:

1. Designated Lieutenant.
2. In the absence of any of these personnel, a designated Sergeant on the scene of an investigation will assume command unless relieved by sworn command personnel.

D. Uniform Services Division Commander - In the absence of the Uniform Services Division Commander, the following succession will go into effect:

1. The on duty USD Lieutenant succeeds in the absence of the USD Division Commander.

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2. A USD Sergeant will be appointed for succession in the absence of the on duty Lieutenant.

E. Special Operations Division Commander - In the absence of the Special Operations Division Commander, the following succession will go into effect:

1. Designated Lieutenant.
2. Designated Sergeant succeeds in the absence of the SOD Lieutenants.

102.6 Authority

A. Accountability and Responsibility - This directive sets the policy and guidelines for accountability within the Agency. The policy also allows for responsibility commensurate with authority within our organizational structure.

B. Written Directive System - This policy also provides the authority for the written directive system. The Chief of Police approves and administers under signature written directives, policies and procedures.

C. Directives - The Chief of Police and/or Division Commanders administer memorandums, general orders, operating procedures or intra-divisional directives. Supervisors of units or sections may issue written memorandums to deal with areas affecting only that unit or team and must not be in conflict with any other command directives.

D. Conflicting Directives - When any written directive conflicts with a higher directive or any controlling statute or relevant case law, such directive will be deemed to be superseded by such higher directive or law.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Executive Division	Order No: 103	
Rescinds: GO 103 Revised: 06/13/16	CFA 5th: 2.06	Revised Date: 10/24/17
Reference: Organizational Chart		

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103.2	Internal Affairs Unit

103 Policy

The Executive Division provides services directly to support the needs of the Chief of Police. All units assigned to the Executive Division report directly to the Chief of Police. The Division is comprised of the Fiscal Management Unit, Chief's Office and Internal Affairs Unit.

103.1 Fiscal Management Unit

The Budget Officer provides administrative support to the Chief of Police in functions related to accounts payable, grants, budgeting functions, and council items. This position will also take on additional special projects as assigned.

A. Fiscal Management Unit - Budget Officer [GO108](#)

1. Coordinates preparation of the Department's annual budget.
2. Monitors spending throughout the fiscal year to ensure budgetary objectives adherence.
3. Provides the Chief of Police and Division Commanders with a monthly report regarding the status of the Department's budget.
4. Monitor and conducts financial reporting on grants as required in grant administration.

103.2 Internal Affairs Unit [GO223](#)

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- A.** Conducts internal investigations of serious policy violations, corruption, and criminal offenses alleged to have occurred within the Agency by members.
 - 1. These inquiries may be received by telephone, mail or in person.
 - 2. The investigator will initiate contact with the complainant and have him sign a formal complaint.
 - 3. After this, the investigation is opened and given the appropriate complaint number.
 - 4. IA houses and maintains all inquiry documentation including but not limited to complaints, DI's and II's.
- B.** Maintains statistical information on complaints filed with the Agency and manages the Division Inquiry System.
- C.** Conducts special investigations as directed by the Chief of Police or designee.
- D.** Maintains documentation of serious violations of policy or law by members of the Agency and recommends changes to directives or other action to prevent future violations.
- E.** Maintains member disciplinary action files as specified by the Florida Public Records Law and records management rules regarding retention.
- F.** Monitors investigations where a member is the victim of an offense that indicates retaliation for the performance of duty.
- G.** Prepares written monthly and annual review and statistical comparison of incidents monitored by the Performance Assessment and Review System, (PARS), to include:
 - 1. Allegations of employee misconduct.
 - 2. Response to Resistance.
 - 3. Disciplinary/Corrective action.
 - 4. Traffic crashes involving Department vehicles.
 - 5. Vehicle Pursuits.
 - 6. Lawsuits and claims involving the Agency.

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7. Monitor indications of Biased-Based Profiling, to include areas of forfeitures, traffic stops, and seizures.

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Subject: Uniform Services Division	Order No: 104	
Rescinds: GO 104 Revised: 05/24/17	CFA 5th: 14.01	Revised: 05/30/18
Reference: GO 216, 217, 302, 503, 509, 510, 601, 602, 711, OM 405 C		

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104.1	<u>Responsibilities</u>

104 Policy

- A.** The Uniform Services Division provides 24 hour response to calls for service, preventative patrol, tactical responses to critical incidents, investigation of crimes, and certain specific offenses as assigned. It also provides aid to citizens, protection of the public and arrests of alleged violators when appropriate. This Division is the largest contributor to the reputation and good will of the Agency.
- B.** The Division consists of the following: Communications Section, Patrol Squads and components which include Front Desk and Booking Operations, Police Canine Officers, Traffic Officers, **Community Resource Unit** and Reserve Officer Program.
- C.** Specialty units consist of: SWAT, Underwater Recovery, Crisis Negotiations, and Honor Guard.

104.1 Responsibilities

- A. Communications Center (Section)** - The Communications Center is responsible for all operations related to telephonic call taking (911), Computer Aided Dispatch, (CAD), 800 Megahertz Radio System, FCIC and NCIC teletype and the establishment of procedures and training to manage these functions.
[GO 302](#)

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B. Patrol Squads

1. The Patrol Squads are responsible for response to calls for service. The patrol squads and components will provide timely responses to urgent calls requiring immediate police presence and reasonable response to non-urgent calls requiring police presence. Responses to urgent calls or emergencies will be continuous throughout every patrol shift. It is responsible for alternate methods of handling of calls not requiring police presence. Refer to [GO 302](#) for call prioritization and alternate call handling.
2. The investigation of crimes, offenses, incidents, and conditions including the arrest of offenders will be reported and detected crime will be thoroughly investigated. Each officer should know incidents requiring the response of a special unit or a supervisor. Follow-up investigations will be conducted as specified in [OMA 502](#) and [GO 602](#).
3. Directed patrols and problem solving will be oriented toward the prevention of crime, traffic crashes, maintenance of public order, and intelligence gathering. Patrol officers will engage in problem oriented policing as a means to implement community-policing initiatives. When otherwise not committed, officers will utilize the concepts of problem solving to address current crime activity in their assigned zone and district. Patrol supervisors and commanders will be responsible to facilitate the “teaming” efforts needed to address the identified crime problems.
4. Traffic Enforcement and Control - Each officer is responsible for the safe and effective flow of traffic. While obvious hazards and violations should be addressed immediately, this duty is secondary to response to calls for service and the investigation and prevention of crimes. Generally, traffic enforcement and control is the primary responsibility of the Traffic Officers.

C. Traffic Officers [GO 505](#)

1. The Traffic Officers will provide timely response to urgent traffic calls requiring immediate police presence, reasonable response to non-urgent traffic calls requiring police presence, and alternate handling of calls not requiring police presence.
2. Traffic Officers will be responsible for completing crash reports for accuracy, completeness and compliance with State standards.
3. The USD Commander, or designee, with assistance from the Crime Analyst, will maintain a records system for the compilation of statistical

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information relating to traffic accidents, enforcement and traffic management data, patterns information, and analysis reports.

4. Traffic Officers will identify those areas and violations that are causative factors in traffic crashes and engage special enforcement techniques and details to reduce the possibility of traffic related problems.
5. Traffic Officers are expected to supplement the Uniform Services Division personnel for the purposes of urgent calls for service, back up of officers on urgent calls, and preventive patrol.
6. Traffic Officers will investigate all traffic crashes that result in or are likely to result in a death. Traffic Officers will investigate crashes involving Department vehicles as specified in General Order 414 on Department vehicles.
7. Traffic Officers will investigate all complaints regarding vehicles abandoned on City right-of-way and monitor the status of abandoned vehicles that have been removed and placed in storage.
8. Traffic Officers will review plans for new construction affecting public traffic ways and recommend additions or changes to signs, signals or lanes to promote efficient flow of traffic.
9. Traffic Officers will support special events and other programs promulgated within the Division.

D. Desk Operations

1. Desk Operations are assigned primarily to Desk Booking Specialists, (DBS), whose responsibilities include, but are not limited to, the security of the police facility from outside intrusion during all hours. They are responsible to handle walk-in public requests for general information or assistance. They assist officers in processing prisoners, interview walk-in public complaints that are non-criminal or minor criminal offenses, and complete the required documentation. They maintain supplies and facilities in the prisoner processing and holding areas of the facility.
2. Desk Booking Specialist II, (DBS II), have additional responsibilities over the Desk Booking duties outlined in C (1). Duly Correctional Certified DBS II's are authorized to carry a firearm while on or off duty. DBS II's also have additional assigned field duties related to non-emergency calls for service, report writing, crime scene processing, and other assistance to uniform patrol officers, [GO 503](#).

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E. Canine Officers [GO 509](#)

1. Provide the Agency with the services of trained working police dogs for drug detection, tracking, building searches, riot control, area searches and officer protection.
2. Conduct specialized training and maintain equipment used by the unit.
3. Responds to calls and provides canine assistance on calls for service.

F. Crisis Negotiations Team (CNT) - CNT provides highly skilled, verbal communication to negotiate solutions in critical emergencies such as hostage taking, suicide attempts, etc., before using tactical measures. [GO 217](#)

G. Special Weapons and Tactical Team (SWAT) [GO 216](#)

1. SWAT handles tactical situations that exceed the capabilities of standard police resources: e.g. hostage situations, sniper incidents and barricaded subjects, etc.
2. Execute search warrants and arrest warrants in hazardous situations.

H. Underwater Recovery Team (URT) [GO 510](#)

1. URT conducts underwater search and recovery of evidence or bodies.
2. They provide support service to the Fire Department rescue diving function.
3. They recover and salvage submerged vehicles involved in accidents.
4. They recover property lost by accident, negligence, or any other reason that is underwater.
5. Promote water safety to the public.

I. Honor Guard Team [GO 711](#)

1. The Honor Guard provides a contingent of uniformed officers of exemplary image to represent the Agency at various public functions.
2. Officers selected to participate with the Chief's Honor Guard will, when detailed, act as a direct representative of the Chief of Police.

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3. Honor Guard officers will be subject to ceremonial details as determined by the Chief of Police.

J. Community Resource Unit (CRU) [GO 504](#)

1. The **CRU** is responsible for coordinating the Agency's response to neighborhood problems of a criminal and non-criminal nature that are pervasive and have not been successfully solved by traditional call response and investigative methods.
2. The **Community Resource Unit** is manned by officers geographically assigned to districts and zones within the City on a permanent basis to focus their activities and projects on the specific and unique needs of that area or zone.
3. Officers assigned to **CRU** are responsible for generating a **Community Resource** activity report documenting **CRU** activities related to reported problems in assigned geographic areas. The report will address identified problems or concerns with individuals, specific locations and/or traffic areas. Problem solving action plans will be developed and after action reports will document enforcement activities, (arrests, traffic citations, etc.), and the impact, if any, on the problems in the area targeted. Reports will also include noteworthy incidents in the **CRU's** geographic area and any expressed neighborhood attitudes, good or bad, towards City government or the Police Department.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Investigations Division	Order No: 106	
Rescinds: GO 106 Revised: 04/01/15	CFA 5th:	Revised: 06/27/16
References: GO 602, 603		

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106.1	<u>Criminal Investigations Section Components</u>

106 Policy

- A.** The Investigations Division is responsible for inquiries into primarily felony and some misdemeanor crimes.
- B.** The Criminal Investigations Division component conducts comprehensive follow-up investigations related to felony persons or property crimes usually initially handled by the Uniform Services Division.
- C.** Division members will utilize all available resources to proactively work toward solving assigned investigations in a timely manner. Members will strive to prevent future criminal activity by aggressively tracking crime trends, career criminals, and other felons. They will develop means that will lead to lawful apprehensions and seizure of assets of these individuals gained through criminal activity.

106.1 Criminal Investigations Division Components

- A. Criminal Investigations Division** - The CID provides services related to general crimes relating to property and person offenses, primarily involving felonies. The following are units with specific functions:

1. Major Crimes Unit [GO 602](#)

- a.** Death of a person over 12 years of age not attended by a physician.
- b.** Attempted murder, solicitation and conspiracy to commit murder.

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- c. Aggravated battery involving serious injury.
- d. False imprisonment, kidnapping, extortion and incidents involving continuous or on going threats to a person's safety.
- e. Robbery.
- f. Criminal investigations as assigned by the Division Commander or Chief of Police.

2. Special Victims Unit

- a. Offenses relating to any sexual offense.
- b. Any child or elder abuse or neglect cases.
- c. Any crime as determined by the unit supervisor.
- d. Sexual Offender and Predator Section manage the Department Sexual Offender and Predator Management Program as provided in [GO 803](#).
- e. Death of a child 12 years of age or younger.

3. Crime Scene Unit [OMB 602](#)

- a. Process major crime scenes including: videography, photography, evidence collection, latent evidence removal, sketching and related documentation.
- b. Process in-house photographic material and other evidence not handled by outside laboratories.
- c. Audio, video and photography support to other units within the Department.

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Subject: Support Services Division	Order No: 107	
Rescinds: GO 107 Revised: 10/24/17	CFA 5th:	Revised: 03/08/18
Reference:		

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107.6	<u>Career Officer Development Program</u>
107.7	<u>Field Training & Evaluation Program (FTEP)</u>
107.8	<u>Communications Training and Evaluation Program (CTEP)</u>
107.9	<u>Awards Program</u>

107 Policy

The Support Services Division provides support services vital to the operational policies and goals of the Agency.

107.1 Organizational Components and Responsibilities

The Support Services Division Commander will have command responsibilities over the Logistics Section, Training and Recruiting Section, Community Services Section, Property and Evidence Section, Materials Management Unit, Communications Center, Accreditation Unit, Volunteer Program, Victim's Advocates, Records, the Field Training Program and Reserve Officer Program. The Division Commander also oversees and coordinates the Department Safety Plan, Payroll, Awards Program, and School Crossing Guards Program.

107.2 Training and Recruiting Section

A. This section is under the command of the Support Services Division Commander. The Training and Recruiting Section Lieutenant is responsible for the direct management and supervision of the section which performs the following functions:

1. Manages in-service training and outside schools and seminars.

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2. Maintains training records on each member, posts notices for available courses of instruction, and maintains informational material on schools.
3. Monitors the training needs of the Agency, conduct surveys on training interests, acquires instructors, schedules Department training, and arranges training aids and facilities.
4. Monitors compliance to training requirements of the Florida Department of Law Enforcement Division of Standards and Training for all sworn members.
5. Plans, schedules, and provides orientation training to new Agency members.
6. Plans, schedules, and provides adequate Field Training to all newly hired officers and desk booking specialists.
7. Plans and schedule recruitment programs for sworn members.
8. Conducts background investigations on all new Agency members.
9. Maintains background records.
10. Maintains records and process documents required by the Criminal Justice Standards and Training Commission for employment of law enforcement personnel.
11. Maintains records and monitors mandates related to accreditation standards compliance related to training.
12. Maintain current inventory for all Agency firearms.
13. Responsible for the management and upkeep of the Department Firearms Training Facility (Range), and other Department training facilities assigned to the section.
14. Volunteer Programs [GO 801 OMA 801](#)

B. Firearms Training Unit [GO 202 OMD 405](#)

1. Provides instruction in the approved use of firearms and related equipment.
2. Evaluate firearms and related equipment for suitability for use by members.

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3. Conduct and evaluate FDLE, (CJSTC), mandated handgun qualification.
4. Design training courses for advanced firearm proficiency to include approved rifle and less-lethal munitions training and qualification courses.
5. Maintain firearms training records for sworn members in the training records central file

107.3 Logistics Section

A. The Logistics (Section) Manager is responsible for the following units and functions:

1. Materials Management Unit [GO 701](#)

- a. Maintains the receipt, transfer, storage, and disposal of evidence and non-Departmental property. Any referral in other Agency directives to "Property and Evidence" is synonymous with the Materials Management Unit.
- b. Ensure evidence is tested or examined by outside experts when requested.
- c. Assist in the public auctions of property.
- d. Maintain documentation and custody of property and evidence as required by law. Conducts required audits and inspections of Materials Management Unit.
- e. Purchase supplies for the Agency.
- f. Document purchases, payments and distribution of supplies.
- g. Maintain a secure shelf of commonly used and issued equipment and supplies.
- h. Study purchasing patterns to anticipate Agency needs.
- i. Conduct a capital inventory annually.
- j. Act as liaison between the Agency and City Purchasing Section.

2. Police Department Vehicle Fleet [GO 414](#)

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- a. Logistics Division Manager, or designee, acts as the Police Department Fleet Management Manager and maintains liaison with the City Fleet Services Department.
- b. Coordinates with City Fleet Services Department and project annual vehicle needs.
- c. Keeps Division Commanders informed of known issues that may affect assigned vehicles.
- d. Coordinates assignment or re-assignment of vehicles as necessary to maintain maximum use of assigned assets.
- e. Provides annual vehicle inventory for inclusion to the Department Capitol Inventory.

3. Facilities Management

- a. Logistics Division Manager, or designee, acts as the Police Department Building and Facilities Management Liaison Manager.
- b. Monitors facilities maintenance contracts to ensure compliance.
- c. Checks the facilities interior (common areas), and exterior areas to ensure proper maintenance, inspections and care is maintained.
- d. Monitors work order status to ensure projects are completed in a timely and proper manner.
- e. Projects known facilities maintenance projects and assign office space in coordination with Division Commanders.
- f. Supervises the Police Department Janitorial Staff.
- g. Monitor consumption of fuel, oil, electricity, water and other commodities as directed and propose conservation measures.

107.4 Community Services Section

A. This section is the responsibility of the Community Service Section Manager who is under the direct command of the Support Services Division Commander. Units and functions include:

- 1. Victim Services Unit [OMA 802](#)
- 2. Records Division

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3. **School Crossing Guards Program** [OMA 507](#)- The Community Service Manager is assigned as the School Crossing Guards Program Coordinator. The SCG Program Supervisor reports to the Community Services Section Manager with the management of the program, but is under the direct supervision of the Support Services Division Commander.

B. Records Unit [GO 305](#)

1. Provide a centralized location for systematic and uniform compilation, storage, maintenance, dissemination, and disposal of records and documents pertaining to police activities.
2. Ensure the accuracy and completeness of any official document maintained or disseminated by the Agency concerning calls for service and consequent police action.
3. Establish and maintain positive control, tracking, and security of records.
4. Assure the integrity of classified materials.
5. Serve as Agency's representative to the City Records Retention Program.

107.5 Safety Manager

- A. The Division Commander, or designee, is assigned this task which includes the following responsibilities. [GO 707](#)
 1. Responsible for safety and health related issues for Department Members and oversees the Department Infectious Disease Control Plan.
 2. Assist the Training Section in developing training related to Safety and health issues for Department members.

107.6 Career Officer Development Program - This program is administered by the Support Services Division Commander, or designee. [GO 408](#)

107.7 Field Training and Evaluation Program, (FTEP) - The Training Sergeant is responsible for the administration of the officer field training and evaluation program. Duties include, but are not limited to: training trainers and trainees; schedule all related training assignments for trainers and trainees; document, maintain training records and monitor the progress of trainees assigned to Field Training Officers, (FTO). FTEP trainers and trainees are responsible for FTEP procedures in the FTEP Operating Manual. [OMC 405](#)

Palm Bay Police Department	
Subject: Support Services Division	General Order: 107

107.8 Communications Training and Evaluation Program (CTEP) - The Training Sergeant is responsible to oversee the Communications Training and Evaluation Program and the CTEP Coordinator. The CTEP Coordinators duties include, but are not limited to: ensuring the Communication Training Officers (CTO) are certified trainers and the training of the trainees; schedule all related training assignments for trainers and trainees; documentation, review training records and monitor the progress of trainees assigned to CTO. CTO trainers and trainees are responsible for CTEP procedures in the CTEP Operating Manual. [OMC 302](#)

107.9 Awards Program - Oversees the Awards Program Coordinator who administers the Agency's Award Program. [GO407](#)

PALM BAY POLICE DEPARTMENT GENERAL ORDER

Subject: Fiscal Management

Order No: 108

Rescinds: GO 108 Revised: 05/04/16

CFA 5th: 5.01, 5.02, 5.04

**Revised Date:
10/24/17**

Reference: Budget Transfer Form, GO109, 702, 712, OM A108, A703, A805

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108 Policy

The Agency will establish internal authority and responsibility for management and control of the Palm Bay Police Department's appropriated fiscal assets, compliance with the City of Palm Bay financial control and accounting procedures, and participatory development and justification of police budgetary requirements.

108.1 General Responsibilities

A. Primary Functions - Primary authority and responsibility for City fiscal management, accounting and budget execution is delegated by the City Manager to the Director of Finance and the Budget Administrator who develops and promulgates general procedures for accounting and budget control. The Director of Finance maintains primary auditable fiscal accounts, and the Director of Office of Management and Budget maintains expenditure approval authority for all municipal activities in accordance with approved budgetary authorization.

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- B. Chief of Police** - The Department is a major functional unit of the City of Palm Bay, responsible to the City Manager for the proper administration and operation of law enforcement activities. The Chief of Police is charged with the authority and responsibility for internal Department administration including fiscal management of the Agency.
- C. Police Department** - In accordance with the above fiscal control channels, the Agency is responsible for the following:
1. Compliance with general fiscal procedures and controls established by the Director of Finance.
 2. Preparation and authentication of required documents and internal records and related expenditures.
 3. Maintenance of internal police accounts of expenditures and fund balances for control and analysis purposes.
 4. Review of periodic accounting reports from the Director of Finance related to Police Department expenditures and fund balances.
 5. Development, coordination and submission of annual budget requests and other amendment data in accordance with City requirements, format and scheduling as determined by the Director of Finance and approved by the City Manager.

108.2 Fiscal Authority and Responsibility

- A. Executive Division** - The Chief of Police retains responsibility for fiscal management of the Agency. Performance of internal accounting and budgetary control functions and detailed coordination with the Director of Finance is delegated to the Budget Officer under the Executive Division.
- B. Budget Officer** - The Budget Officer is authorized to develop and maintain such internal accounts, procedures and controls as necessary for effective fiscal management in order to inform the Chief of Police and Command Staff of the financial status of the Agency and implement an efficient and timely development of budget requirements and support data.
- C. Coordination and Information Source** - The Budget Officer is designated as an Agency focal point for coordination of fiscal and budgetary questions and problems with City fiscal administration authorities. Such actions and results will be reported to the Chief of Police. Significant problems or questions requiring policy decisions by the Chief of Police or City Manager will be referred to and coordinated by the Budget Officer.

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108.3 Accounting System

- A. The Agency and City have an accounting system that provides monthly status reports showing:
 - 1. Initial appropriation for each account.
 - 2. Balances at the commencement of the monthly period.
 - 3. Expenditures and encumbrances made during the period.
 - 4. The unencumbered balance.
- B. **Review** - The Budget Officer will review all expenditure documents to determine the status of budgetary expenditures and balances prior to the approval of the Chief of Police. This will enable maintenance of current and complete internal records of the status of budgetary expenditures and balances.
- C. **Monthly Report** - The Budget Officer will have access to the City's financial reporting system for verifying status of each account, indicating cumulative expenditures and balance remaining. The distributed monthly report will identify areas of over or under expenditure.
- D. **Outside Audits** - City Department's (including police) accounts are maintained by the Director of Finance and are audited annually by an outside agency. The annual fiscal report of Agency expenditures and revenues are analyzed and compared with unofficial police accounts to assure accuracy and correlation of expenditures and revenues.
- E. **Budget Transfers** - The Budget Officer is responsible for reviewing all budget transfer requests before being forwarded to the Chief of Police for approval.
- F. **Regular Monitoring** - All Agency related revenue accounts are monitored on a regular basis by the Finance Director for meeting forecasted projections with action taken and notifications made, if required.

108.4 Departmental Budget Development

- A. **Budget Development File** - The Budget Officer will maintain a budget development file of data on future program requirements and Agency goals and objectives that have affect or consideration for budget development. The file will include special requirements that may be considered in the forthcoming budget processes. The file will be upgraded with new or revised data throughout the fiscal year.

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- B. Instructions and Schedule** - Upon receipt of the Budget Officer's guidelines and criteria for budget development, instructions and a schedule is provided to each Division that is required to develop a budget within the Agency. A general meeting of commanders and supervisors will be held to establish and explain budget criteria to include functional goals and objectives. A deadline will be established for submissions.
- C. Meetings** - Upon receipt of budget requests, preliminary meetings will be held with the Chief, Deputy Chief, Commanders and Managers to evaluate requests and determine compliance with criteria, if necessary. Subsequent staff review will arrive at a recommended budget posture consistent with City criteria and supported by prioritized justification, as agreed upon by the Division Commanders in conjunction with the Chief of Police.
- D. Final Meeting** - A final Senior Staff meeting review will be conducted of the budget request to assure Agency-wide understanding of final submission, its rationale, and implications for each organizational unit.
- E. Final Budget Preparation** - The Budget Officer will be responsible for coordination and compilation of the final budget request and provide necessary background and details for presentation in subsequent budget hearings.
- F. Approved Budget** - Upon final passage of the budget, the Chief, Budget Officer and Division Commanders will be provided a copy of the Agency's approved budget.
- G. Transfer of Funds** - Any request to change an amount appropriated to a particular line item after the fiscal year begins must be made in a "Budget Transfer Form". The amount requested and the account it is to be moved from must be included. The Budget Officer will verify the need and fund availability before submitting it to the Chief for final transfer processing. [Budget Transfer Form](#)

106.5 Budget Officer Responsibilities - At the direction of the Chief of Police, the Budget Officer is responsible for preparation, management and accountability of the Agency's budget and financial activity. The Budget Officer is under the direct supervision of the Chief of Police. Duties include, but are not limited to:

A. Budget Preparation and Management

- 1. Analyze and evaluate all budget requests from the Chief and Division Commanders.
- 2. Prepare projection for operating expenses and capital outlay for the current and next fiscal year.

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3. Review proposed budget requests with the Division Commanders and Chief of Police.
4. Attend budget workshops and hearings related to City approval on Agency budget.
5. Prepare Legislative Budget Memos and transfers in accordance with City guidelines.
6. Manage the budget review process acting in close cooperation with the Chief of Police and Division Commanders.
7. Prepare and coordinate long-range capital improvement projects.
8. Approves all purchases up to \$2,500.

B. Project Specialist

1. Monitor Confidential Investigative & Evidence funds and review quarterly audits from the Division Commander(s) or Chief's designee.
2. Review monthly inspection reports from Agency supervisors responsible for handling cash as provided in Review, Audits and Inspection. [GO 109](#)
3. Monitor expenditures governed by Section 108.9 to ensure compliance with this directive and City Administrative Code 1-24.

108.6 Budget Officer- Duties and Responsibilities

A. Fiscal Management

1. Preparation of the Agency's annual budget.
2. Prepare statistical information, as required, for budget planning.
3. Prepare and compile the Agency's budget requests and needs on an annual basis.
4. Monitor expenditures of budgeted funds and reallocate funds as required.
5. Manage manpower allocation changes, reports and plans.
6. Monitor special revenue funds and any non-departmental accounts.
7. Provide fiscal information, as required, for all projects or policies with fiscal impact on the Agency.

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8. Prepare monthly reports for the Chief of Police and appropriate personnel on the following areas: budgets, overtime and training.

B. Grant Management

1. May seek out and research grant opportunities and other funding sources for the Agency.
2. Coordinate the preparation of the grant applications process.
3. Review and obtain approval from the Chief of Police (and when necessary, the City Manager) for all police grant application submittals.
4. Monitor the revenues and expenditures of the awarded grant.
5. Periodically review grant to assure grant conditions are being met.
6. Prepare and submit any necessary reports required by the grant (e.g. quarterly, financial, progress, or final reports).
7. Attend grant-related workshops, seminars, and/or conferences.
8. Act as a liaison on behalf of the Agency with various governmental and/or organizational agencies in addressing various grant issues.

108.7 Cash Procedures - It is important the Agency has in place a policy for the handling, accountability and securing of any cash monies collected or disbursed within the Agency during the course of business.

A. Cash Transaction Procedures

1. It is the policy of the Agency that all funds received from the public because of services rendered will be recorded, secured, accounted for, and subsequently released to the Finance Department.
2. No other Agency components or members are authorized to receive money from the public. Any Agency business where the public is required to pay a fine or fee and the payment is rendered in the form of cash/currency, the person making payment will be referred to the City Cashier to pay and return with a paid receipt.
3. The Asset Forfeiture Unit permitted to accept checks made out to the City of Palm Bay or Palm Bay Police Department as provided in the Wrecker Ordinance Program [GO 712](#) and Asset Forfeiture Program.

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B. Petty Cash Procedures, (Finance Department Procedure) - The petty cash fund will be administered by the Finance Director for the City. Petty cash funds will be kept in a secured drawer in a desk. Expenditures from the fund will require a receipt and that will be included in reconciliation of the account. Reconciliation will be completed on at least a monthly basis. Petty cash funds will not exceed \$300 per site.

1. Petty cash funds, as defined in City Ordinance 95-30, are appropriated monies not to exceed \$300 per site set aside for local incidental purchases. Purchases may not exceed \$25 each, made by duly authorized personnel. A Petty Cash revolving fund is established as needed within components. In the event of a custodial change, the department head's designee in the presence of both custodians must audit Petty Cash Funds. The results, along with a new letter of responsibility, are sent to the Finance Department. A copy will also be sent to the Accreditation Manager. There is no authorization for cash disbursement for expenses in excess of \$25.
2. The appointed custodians are responsible for maintaining a record of each purchase. The records consist of a voucher identifying the buyer, the vendor, the amount and the reason for the purchase, and the signature of an authorized person. The original receipt is attached to the voucher. The vouchers are recorded on a Petty Cash Log (see Appendix) in order of date of purchase, stating the vendor/item, cost, account to be charged and the buyer's initials.
 - a. A ledger system will identify the initial balance, credits, debits, and the balance on hand.
 - b. This procedure authorizes only certain positions to receive, maintain, or disburse cash. The petty cash custodians will receive funds to replenish the petty cash. They may accept cash only from the City. Receipt of funds to replenish the accounts will be recorded on the ledger.
3. Day travel expenditures such as lunch, tolls and gas or mileage may also be reimbursed from Petty Cash providing travel has been pre-approved by the Chief of Police or designee. Expenses are to be substantiated by receipts. Petty Cash may not be used to purchase items that should be procured by purchase requisition or through the blanket purchase order system. Personal borrowing or check cashing from Petty Cash Funds is prohibited and is a punishable offense.
4. When the Petty Cash Fund is depleted, the log is summarized by account number, approved by the Chief of Police or designee and forwarded to Finance for reimbursement. The Accounting Supervisor ensures the funds were expended according to policy and are properly documented. If found

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in order, the Accounting Supervisor initials the request and forwards it to the Finance Director for approval. The request is then returned to Accounts Payable for payment.

4. The Finance Department may audit petty cash funds at any time. Operating procedures for the Petty Cash Fund are promulgated by the Finance Director and approved by City Council.
5. The only authorized Agency components to disburse or receive petty cash are the Materials Management Unit and the Training Section.
6. The Lieutenant or Manager over the Materials Management Unit and the Training Section will conduct audits of the Petty Cash system in their respective units as part of the required inspection process every three months. (Review and Inspection) [GO 109](#)
7. At the direction of the Chief of Police or designee, the Accreditation Management Unit will conduct periodic internal audits of Petty Cash Funds utilized in the Agency.

108.8 Confidential Investigative & Evidence Funds, (CI &E)

- A. **Special Operations Division** - The only components in the Agency authorized to handle CI &E funds is the Special Operations Division.
- B. **Procedures** - Authorized components and personnel utilizing CI & E funds will adhere to the procedures as outlined in the Confidential Investigative and Evidence Funds General Order [GO 606](#).

108.9 Expenditures to Enhance Employee Relations Restricted

- A. Awards banquets and similar events may be hosted utilizing City funds if the event was specifically budgeted or approved by the City Manager in writing. City funds will never be used to purchase alcoholic beverages.
- B. City funds may be used for activities such as fund-raising for City-sponsored purposes (American Cancer Society Relay for Life team, etc.) or recognition of promotions.
- C. If funds are available, the Chief of Police may authorize up to \$150 for flowers or an appropriate substitute in the event of the death or serious illness of a member or former member of the Agency.
- D. Unless authorized by the Chief of Police, budgeted funds will not be utilized to host social events such as luncheons, birthday celebrations, or retirement parties. Such events may be hosted if funds are provided by employee

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contributions. Citywide retirement recognition programs are exempt from this restriction.

- E. The Chief of Police may only approve expenditures of funds specifically budgeted and authorized by the City Manager in writing.
- F. All expenditures governed under this section will be charged to a designated line item to enable ease of monitoring. The Budget Officer will monitor expenditures to ensure compliance with this directive and with City Administrative Code 1-24.
- G. The Chief of Police may request an exception to this procedure. The request must be in writing to the City Manager prior to the encumbrance or expenditure of funds. The Budget Officer will notify the Finance Director of any authorized exceptions.

108.10 Procurement Cards - Authorize purchase of commodities or services obtained by using the assigned City Visa Credit Card. These purchases must be pre-approved by the cardholder's Manager or Lieutenant, or above. The procedures for use and accountability are specified in Operating Manual A108 Purchasing Procedures.
[OMA 108](#)

108.11 Inventory Control

- A. Inventory Control** - The Agency will maintain an inventory control system for Agency property, equipment, and other assets. The system records all Police Department property, equipment and other assets in such a manner as to indicate serial number (if available), description, cost, source, the person to whom it is issued or its current location.
- B. Materials Management Unit** - It is the responsibility of the Materials Management Unit to manage this function. The Materials Management Unit will maintain a computer database system for all Agency equipment or property assigned to individual members, units, teams, sections or divisions.
 - 1. The Materials Management Unit will account for all single purchase items that are either serialized and/or valued in excess of \$1000. Individually issued equipment, (e.g. firearms, radios) will be maintained by the MMU.
 - 2. The MMU will maintain an inventory list of all Police Department property, its location or person it has been assigned.
 - 3. The MMU will maintain a tracking form for the issue/reissue of Agency property. The tracking form will specifically record serialized and/or items valued in excess of \$1000.

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4. Items that are not serialized and/or are valued less than \$1000 does not require a tracking form that records issue/reissue. However, the MMU will record issuance of these items to individuals for accounting purposes.
 5. The tracking of issue and reissued agency property will be maintained in the HTE personnel database under each member who is issued the property. The signed copy of the completed issue/reissue form will be maintained in Laserfiche under each member's personnel file.
- C. City Inventory System** - The Materials Management Unit will not be responsible for tracking items such as City computers. These are tracked by the City's Information Services Department, which carries the responsibility for City computer hardware and software.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Review, Audits and Staff Inspection		Order No: 109
Rescinds: GO 109 Revised: 09/22/15	CFA 5th: 4.06	Revised: 01/04/18
Reference: OM A109 Audits		
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109.1	<u>Staff Review</u>	
109.2	<u>Line Inspections</u>	
109.3	<u>Audits</u>	

109 Policy

- A.** It is the policy of the Agency to maintain a high level of integrity and compliance with laws, policies, rules, regulations and orders set forth in state and federal statutes, and the Agency's management and supervisory functions. The staff review, audits and staff inspections processes are essential mechanisms for evaluating the quality of Agency operations ensuring that Agency goals are being pursued, identifying the need for additional resources, and determining whether control is maintained throughout the Agency.
- B.** Reviews, Audits and Inspections shall be in concert with the Commission for Florida Law Enforcement Accreditation, Inc. (CFA) standards and mandates by which the Agency is accredited.

109.1 Definitions

- A. AMU** - Accreditation Management Unit
- B. GO** - General Orders
- C. OM** - Operating Manual

109.2 Staff Review

- A. Accreditation Management Unit** - Staff reviews will be conducted by the Accreditation Management Unit (AMU) at the direction of the Chief of Police or designee. The Accreditation Manager will determine compliance with Agency

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operating directives. Reviews of individual sections or units should be conducted each calendar year, when staffing permits, or at the direction of the Chief of Police or Division Commander. Staff reviews are in addition to the line inspection process.

- B. Responsibility of AMU** - The AMU's primary duties and responsibilities are to observe, evaluate, report, and recommend as determined by the Chief of Police or designee.
- C. Corrective Action** - The AMU reviewer will not take on-the-spot corrective action, except when a condition might either jeopardize the reputation of the Department or the accomplishment of its mission, or result in a situation hazardous to anyone's personal safety.
- D. AMU Authority** - The AMU works directly for the Support Services Division Commander and is supervised by the Accreditation Manager. The Accreditation Manager or designee has the authority to interview all personnel undergoing staff review, regardless of rank or position. AMU personnel will have complete access to personnel, equipment, facilities, and files including those considered confidential.
 - 1. The unit to be reviewed will be notified in advance through the appropriate chain of command. This does not apply to unannounced inspections as required by CFA standards.
 - 2. All Commanders and supervisors will cooperate fully with AMU employees.
 - 3. At the completion of the Staff review, a conference will be held between the reviewer and the applicable supervisors to provide an informal report of findings and recommendations.
 - 4. Following the conference, the report will be completed and formally submitted to the Chief or designee. Any recommendations will be forwarded to the Accreditation Manager. The Accreditation Manager will send a copy of the annotated report to the supervisor and Commander of the reviewed unit.
 - 5. Follow-up observations may be conducted to determine the success in implementing recommendations contained in staff review reports.

109.2 Line Inspections

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Subject: Review, Audits and Staff Inspection	General Order: 109

A. Purpose and Authority

1. Line inspections evaluate readiness to perform assigned functions and compliance with Agency directives. They also assess functional needs. A line inspection does not require a full inventory of all property issued by the Agency.
2. Line inspections follow regular lines of authority and responsibility with each supervisor or Commander/Director, inspecting the performance of his immediate subordinates. For example, a Sergeant may inspect personnel at roll call or individually. A Lieutenant may similarly inspect an entire division, section or unit under his command.
3. All line inspections will be properly documented on approved inspection forms, with findings and any corrective action(s) indicated.
4. The Inspection Report will be forwarded to the respective Division Commander. Line inspection reports at the division and section level will be saved on the S: drive in the "Inspections for AMU" folder; incoming inspections for retention and use in staff reviews. Inspection forms will not be received by AMU in any other manner.

B. Schedule

1. **Monthly Inspections** - Completed monthly inspection reports are due by the second Friday of every month encompassing inspections for the previous month. Monthly inspections are required for units or personnel handling cash funds. Focus of the inspection is on cash accountability and support documentation.
2. **Semi-Annual Inspections** - Completed semi-annual inspections are due on the 15th of January and July each year for all sworn members below the rank of Commander. Inspections will be physically conducted by the member's Lieutenant or supervisor if not assigned to a Lieutenant. At no time will a member be given an inspection form and complete it themselves.
3. **Annual Inspections** - Completed annual inspections of the previous year are due within twelve months of the last inspection.
4. Lieutenants will personally inspect their personnel, units, squads, or teams semi-annually. Inspections should focus on:
 - a. Equipment

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- b. Uniforms
 - c. Vehicles
 - d. Office and work areas
 - e. Availability of General Orders, Operating Procedure Manuals, Resource Centers
 - f. File maintenance
 - g. Records retention
 - h. Other related work or facility functions in their respective units, squads, or teams
5. All less lethal implements of force will be inspected to ensure expiration dates are not exceeded and that all implements of force are in proper working order.
 6. Supervisors responsible for handling petty cash, confidential funds, and asset forfeiture monies will conduct **monthly inspections of cash transactions**. Inspections will include support documentation conducted by their respective unit or personnel. The inspection report will be submitted to the respective Division Commander by the second Friday of every month, encompassing inspections for the previous month. Copies will be sent to the Accreditation Management Unit via department email.
 7. Section Lieutenants will review inspections of their sections as specified in this directive.
 - a. A copy of the inspection review will be forwarded to the Division Commander and line supervisors.
 - b. Supervisors are responsible for ensuring all equipment needed or missing is **addressed within one week from the inspection date**. This includes replacing any needed items.
 8. Division Commanders will review all inspection reports forwarded to them from their respective subordinate supervisors.

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9. Divisions, Sections or Units who lack line supervision/section supervision will be inspected by the next level authority in their chain of command.
10. The Chief of Police may order inspections of specified divisions, sections, or units at his discretion.
11. The schedule of staff reviews will not preclude commanders, managers, or supervisors from conducting inspections whenever the need is indicated.

109.3 Audits - Audits will be conducted in accordance with [OMA 109](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Inter-Agency Mutual Aid	Order No: 110	
Rescinds: GO 110 Revised: 09/24/14	CFA 5th:	Revised Date: 04/01/15
Reference: Brevard County Mutual Aid Agreement 2017-2019		

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110	<u>Policy</u>
110.1	<u>Responsibilities</u>

110 Policy

- A.** The nature of criminal activity and the persons involved sometimes cross jurisdictional boundaries.
- B.** Other operational necessities require that from time to time the Agency and other law enforcement agencies share equipment, manpower or other resources.
- C.** It has been and will continue to be the policy of the Agency to cooperate with other law enforcement agencies in situations requiring joint activities among those agencies.
- D.** This directive is supplemental to and does not replace the Administrative Rules found in the [**<Brevard County Mutual Aid Agreement>**](#) good through January, 25, 2019.
- E.** This Directive is supplemental to and does not replace the Administrative Rules found in the [**<Mutual Enforcement Zone MPD MOU>**](#).
- F.** This Directive is not intended to diminish any other authority conferred onto law enforcement officers by law.

110.1 Responsibilities

A. Follow-up Investigations Outside of Palm Bay City Limits

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1. Before conducting a follow-up investigation in another jurisdiction where a custodial arrest is to be affected, officers will arrange to contact an officer of that jurisdiction.
2. The officer and the other agency's officer will agree on what action to take. The investigation will be a joint effort between the agencies.
3. Agency members do not need to contact another agency when entering that agency's jurisdiction for administrative or other non-enforcement matters such as attending court, etc.

B. Fresh Pursuits

1. A fresh pursuit is defined as the immediate pursuit of a person who has committed, or is reasonably suspected of having committed, a felony, misdemeanor, violation of Chapter 316 (FSS), or a county or municipal ordinance in the presence of the officer, within the officer's jurisdiction, and whom the officer is immediately and continuously pursuing for the purposes of making an immediate arrest.
2. An officer is not required to obtain prior authorization when in fresh pursuit. However, when a pursuit crosses jurisdictional boundaries, or when it appears that the pursuit is likely to cross jurisdictional boundaries, the Communications Center will give the jurisdiction(s) being entered as much of the following information as is available:
 - a. The nature of the pursuit.
 - b. The description of the pursued person or vehicle.
 - c. The number of officers involved in the pursuit.
 - d. The location where the pursuit has entered or is expected to enter the jurisdiction.
 - e. Any other information which is requested by the other agency.

C. Mutual Aid

1. When officer availability permits, the Agency will respond for mutual assistance. In such instances, the on-duty field supervisor or, if available, a commander (Division Commander or Lieutenant) will respond immediately to the requesting agency's command post or whatever location the requesting agency specifies to direct and position Palm Bay

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officers. The Agency's supervisor or commander will consult with the ranking officer of the requesting jurisdiction and determine as soon as possible if an Incident Command System needs to be established to unify command. The ranking officer of the requesting jurisdiction will assume the role of Incident Commander. The Agency's supervisor or commander on scene will ensure actions taken by Agency members follow policy and procedures. The supervisor or Commander will notify the on call Agency Staff Duty Officer of the incident.

2. When the Agency is jointly working an incident with another agency, the primary agency will address media and public information concerns.
 3. Mutual aid requests from jurisdictions outside of Brevard County must be made by a senior commander from that jurisdiction or CEO, preferably in writing when time permits. The Palm Bay Police Department's Chief or his designee must approve the request before resources and personnel are deployed.
- D. Other Considerations** - It is understood and encouraged that if a Palm Bay police officer witnesses a situation in which an officer from another agency reasonably appears to need immediate assistance, the Palm Bay officer will immediately render whatever assistance is necessary to alleviate the threat.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Accreditation Management	Order No: 111	
Rescinds: GO 111 Revised: 9/25/06	CFA 5th:	Revised Date: 04/01/15
Reference: GO 301 Written Directive System		
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111 Policy

The Chief of Police has designated the Accreditation Manager with “Functional Staff Authority” and the responsibility of ensuring the success of the accreditation process and the continued compliance with all standards.

111.1 General Provisions

- A.** The purpose of this policy is to establish an Accreditation Management System which provides authority for the administering of the accreditation process and the delegation of responsibilities to those involved. Due to the complex, changing and continuous nature of the accreditation process, it is necessary to assign accountability, responsibility and a system of review to ensure compliance with accreditation standards.
- B.** Providing policies and procedures that meet and/or exceed the minimum requirements set forth by the Commission for Florida Law Enforcement Accreditation (CFA), and maintaining these policies and procedures in current compliance is the responsibility of the Accreditation Management Unit in the Support Services Division under the direct command of the Support Services Division Commander.

111.2 Definitions

- A. Accreditation Process** - The process of achieving and maintaining compliance with all applicable standards set forth by the Commission for Florida Law Enforcement Accreditation (CFA).

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Subject: Accreditation Management	General Order: 111

- B. Functional Staff Authority** - The authority conferred upon another to command in the name of the principle authority. This authority extends over all persons subordinate to the principle authority so long as the person exercising the authority is acting within the scope of their assignment.
- C. On-Site Review** - The examination of proofs of compliance by accreditation assessors to verify that the agency complies with the applicable standards.
- D. Proofs of Compliance** - Verification by documentation that the agency fully complies with the letter and spirit of an accreditation standard.
- E. Self-Assessment** - The process that the agency enters to achieve compliance with applicable standards; establishes proof of compliance, and facilitate the on-site review.

111.3 Procedure

- A.** The Chief of Police designates the Accreditation Manager to have direct access to all Division Commanders, Managers, and their subordinates, whose expertise and/or authority is needed for the successful operation of the Accreditation/Staff Inspections process.
- B.** Division Commanders, Managers, and their subordinates will cooperate fully with the Accreditation Manager.
- C.** Division Commanders and Managers will be responsible for all standards directives pertaining to their command. If divisions, units, or any other sub-component have separate procedural/operational manuals by which they operate, the manuals will be approved by the Chief of Police and the Accreditation Manager. The manuals, even though separate from the written directives manual, are required to be reviewed at least annually as with any other directive. The Accreditation Manager will be supplied with copies of all separate procedural/operational manuals whether Police Department or commercially produced.
- D.** Division Commanders, Managers and their subordinates will furnish and/or provide access to all necessary annual, semi-annual, quarterly, monthly, weekly, and daily reports as required by Palm Bay Police Department Policies and Procedures.
- E.** The Accreditation Manager will notify respective Division Commanders or Managers of due compliance reports and written directives when they become due. All personnel notified of an item due will comply with the notifications.

Palm Bay Police Department	
Subject: Accreditation Management	General Order: 111

- F.** Division Commanders, Managers or their subordinates will provide upon request, all proofs of compliance requested by the Accreditation Manager. The specific nature of the proof of compliance needed will be defined by the Accreditation Manager

- G.** It will be the responsibility of the Division commander or Manager to ensure continued compliance with all applicable standards. The Accreditation Manager will assist any Division Commander, Manager or subordinate in maintaining compliance.

- H.** All Division Commanders, Managers and their subordinates will comply with all sections of this directive. This compliance includes due dates on all draft copies of policies and procedures, standard review dates, and proofs of compliance.

- I.** The Accreditation Manager will ensure that periodic Accreditation training is provided to Police Department personnel to include:
 - 1.** All newly hired personnel within a reasonable period of time after their employment begins.
 - 2.** To all Police Department personnel during the self assessment phase associated with achieving initial accreditation and each re-accreditation.
 - 3.** To all agency personnel just prior to an on-site assessment associated with initial accreditation and each re-accreditation.
 - 4.** Accreditation training may be provided by a designated person identified by the Accreditation Manager. The accreditation training may be provided through but not limited to the use of lecture, newsletter, pamphlets, or video.
 - 5.** Accreditation training curriculum will include but not be limited to:
 - a.** History and background of accreditation
 - b.** Goals and objectives
 - c.** Involvement of and impact upon the agency
 - d.** Advantages of attaining/maintaining accreditation
 - e.** The actual accreditation process

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Special Operations Division	Order No: 112	
Rescinds: GO 112 Revised: 05/19/16	CFA 5th:	Revised: 11/16/17
References: GO 504, 508, 603		

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Section	Description
106	<u>Policy</u>
106.1	<u>Special Operations Unit Personnel Components</u>

106 Policy

- A.** The Special Operations Division is comprised of personnel responsible for several types of investigations including but not limited to property crimes, fraud, narcotics offenses, and juvenile crimes. Designated personnel are responsible for the job functions within the unit specific to the task. The Division Commander is also responsible for the Department Emergency Management Plan, Extra-Duty details, department web-site and crime analysis.
- B.** The General Crimes component conducts comprehensive follow-up investigations related to property crimes usually initially handled by the Uniform Services Division.
- C.** Special Investigations Unit designated personnel are responsible for investigating narcotics offenses, organized crime, and vice crimes.
- D.** Special Operations Division members will utilize all available resources to proactively work toward solving assigned investigations in a timely manner. Members will strive to prevent future criminal activity by aggressively tracking crime trends, career criminals, and other felons. They will develop means that will lead to lawful apprehensions and seizure of assets of these individuals gained through criminal activity.
- E.** An assigned member will also perform independent technical support with audio and visual equipment designed for covert or undercover operations.

106.1 Special Operations Division Personnel Components

Palm Bay Police Department	
Subject: Special Operations Division	General Order: 112

A. General Crimes Unit

1. Commercial/residential burglaries.
2. Grand thefts valued over \$1,000.00.
3. Theft of Firearms.
4. Economic and Financial Crime.
 - a. Exceptions are:
 - Exploitation (Financial) of the Elderly / Vulnerable Adults
 - Fraud cases where reported loss is greater than \$5000
 - Embezzlement cases
5. Any crime as determined by the unit supervisor.

B. Youth Services Unit

1. Monitors and performs primary and secondary investigations on juvenile offenders for criminal offenses and curfew violations.
2. Conduct follow-up investigations of non-endangered runaway children.
3. Select members perform school resource officer duties.
4. Any crime as determined by the unit supervisor.

C. Special Investigations Unit [GO 603](#)

1. **Responsibilities** - SIU is comprised of members with more specific investigative functions into criminal activity related to narcotics, vice crimes, organized crime and gathering intelligence information linked to these crimes.
2. **Investigations** - Include undercover and covert operations that may involve other jurisdictional authorities from the local, state and federal levels. The investigative responsibilities include, but are not limited to:

Palm Bay Police Department	
Subject: Special Operations Division	General Order: 112

- a. Inquiries into gambling operations, prostitution, violations of the adult entertainment laws and ordinances, pornography and commercialized vice.
- b. Investigate narcotics sales, trafficking, smuggling operations, money laundering operations and related criminal activities.
- c. Gather and disseminate intelligence information through the Crime Analysts on narcotics and vice activity.
- d. Monitor the activities of organized crime groups including: traditional organized crime groups, outlaw motorcycle clubs, cults that engage in patterns of criminal activity, and terrorist groups.
- e. Conduct concurrent investigations with the Criminal Investigations Section of cases involving organized crime groups.
- f. Serve as liaison with and maintain membership in criminal intelligence organizations.
- g. Assist or conduct other types of criminal investigations as directed by the Division Commander or Chief of Police.

D. Crime Analysts - GO308

- 1. **Responsibilities** - Provide statistical and analytical support in Strategic Crime Analysis, Tactical Crime Analysis and Administrative Crime Analysis.

E. Public Information Officer - GO310

F. Detail Coordinator

- 1. Responsible for coordinating and acting as Agency liaison for all extra duty employment requests.
- 2. Reviews, approves and revokes any extra duty employment opportunities for the Agency.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Equal Employment Opportunity Plan		Order No: 113
Rescinds:	CFA 5th:	Revised: 03/01/18
Reference:		
TABLE OF CONTENTS		
Section	Description	
113	<u>Statement</u>	
113.1	<u>Purpose</u>	
113.2	<u>Definitions</u>	
113.3	<u>Standards and Procedures</u>	

113 Statement

The City of Palm Bay Police Department is committed to providing equal employment opportunity for all applicants and employees regardless of race, color, religion, sex, gender identity or expression, national origin, age, disability, familial status, marital status, sexual orientation, or any other status protected by applicable law.

113.1 Purpose - The purpose of this plan is to:

- A.** Promote a workplace free from unlawful discrimination and harassment.
- B.** Provide information to applicants and educate employees regarding lawful and unlawful employment practices with regards to providing equal employment opportunity and compliance with applicable laws, policies, procedures and collective bargaining agreements.
- C.** Provide procedures for employees, applicants and citizens to report alleged violations.
- D.** Provide responsibility for reporting and correcting possible discrimination in the workplace.
- E.** Provide a process to determine an appropriate resolution in a given employment situation.
- F.** Provide for prompt and appropriate remedial action, including disciplinary action up to and including termination of employment for noncompliance.

Palm Bay Police Department	
Subject: Equal Employment Opportunity Plan	General Order: 113

113.2 Definitions

- A. Disabled Individual** - A person who has a physical or mental impairment that qualifies as a disability under the ADA, has a record of such impairment, or is regarded as having such impairment.
- B. National Origin** - An individual's birthplace, ancestry, culture or linguistic characteristics common to a specific ethnic group.
- C. Pregnancy Discrimination** - Discrimination on the basis of pregnancy, childbirth and related medical conditions.
- D. Protected Activity** - Generally, in good faith and truthfully, engaging in the process of (a) filing a report or charge of perceived discrimination; testifying, assisting or participating in any manner in an investigation, proceeding or hearing; or (b) opposing an unlawful practice.
- E. Protected Class or Status** - Members of a group defined by race, color, religion, sex, gender identity or expression, national origin, age, disability, familial status, marital status, sexual orientation or genetic information.
- F. Qualified Individual with a Disability** - An individual with a disability is qualified if he/she satisfies skill, experience, education and other job-related requirement of the position held or desired, and who, with or without a reasonable accommodation, can perform the essential functions of the position.
- G. Reasonable Accommodation** - Any modification or adjustment to a job or the work environment, schedule or terms and conditions of employment, accomplished without undue hardship to the employer that will enable an individual who has a qualifying disability under the ADA with equal employment opportunities to perform the essential functions of their job.
- H. Religious Accommodation** - Any modification or adjustment to a job or the work environment, schedule, or terms and conditions of employment that will enable an employee to practice his or her religious beliefs without undue hardship to the employer.
- I. Religious Practices** - Practices based on spiritual, moral or ethical beliefs or values as to what is right or wrong which are sincerely held with the strength of traditional religious views.

Palm Bay Police Department	
Subject: Equal Employment Opportunity Plan	General Order: 113

- J. Retaliation** - A materially adverse action taken against an employee or applicant by an employer, motivated by the fact that the person is engaged in protected activity.
- K. Sexual Harassment** - Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when submission to or rejection of such could complicity or illicitly affect an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.
- L. Sexual Orientation** - The state of being heterosexual, homosexual or bisexual or having a history of such identification.
- M. Undue Hardship** - An action of the employer requiring significant difficulty or expense when considered in light of a number of factors. Undue hardship is determined on a case-by-case basis.

113.3 Standards and Procedures

All aspects of the Palm Bay Police Department employment process are covered under this plan.

A. Discriminatory Practices Prohibited

1. The Department will not tolerate sexual harassment (with or without sexual conduct) or harassment based on race, color, religion, pregnancy, national origin, gender identity or expression, age, sex, disability, marital status, familial status, sexual orientation, genetic information or any other status protected by law. The Department will not tolerate harassment of individuals based on having engaged in protected activity. This prohibition includes harassment by anyone conducting business with the department. This plan also prohibits harassment via e-mail or any other electronic device; the use of the e-mail or any other Department instrumentality to exchange, create, or communicate any material, including but not limited to jokes or offensive language, pictures, videos, which may infringe upon the rights of, or offend persons protected by this EEO plan; and use of the internet or intranet (including the City's website) to access websites that contain objectionable or illegal language or other content. Persons are also prohibited from downloading unapproved software or other files via any media onto the City's computer or other electronic systems which violate this plan.

Palm Bay Police Department	
Subject: Equal Employment Opportunity Plan	General Order: 113

2. The Department will not tolerate conduct that fosters harassment and/or intimidation. Examples of prohibited conduct include but are not limited to: use of racial or ethnic slurs or offensive, demeaning, or derogatory terms related to a person's protected status. Other prohibitions are offensive or demeaning gestures, jokes or stories with reference to race, ethnic groups, religious beliefs, or other protected status. This includes verbal presentations, photographs, arts and crafts, electronic or printed media.
3. The Department will not tolerate retaliation against employees because they oppose discriminatory practices or report alleged discrimination in the workplace, provide information related to such reports, or participate in an investigation of alleged discrimination. Retaliation generally includes such materially adverse actions as denial of promotion, refusal to hire, denial of job benefits, demotion, suspension, and/or discharge.
4. The Department will not tolerate discrimination on the basis of pregnancy, childbirth, or related medical conditions. Women affected by pregnancy or related conditions must be treated in the same manner as other applicants or employees based upon their qualifications and ability to perform the essential functions of the job.

B. Reporting Procedure

1. Employees are responsible for promoting a workplace free of discrimination and harassment. Employees who have knowledge of an actual or suspected EEO violation are encouraged and expected to immediately report such information to the employee's chain of command to Internal Affairs and/or Human Resources.
2. Supervisors are responsible for promoting a workplace free of discrimination and harassment. Supervisors who have knowledge of an actual or suspected EEO violation shall immediately report such information to the Internal Affairs and/or Human Resources.
3. A report may be filed verbally or in writing by contacting:

Internal Affairs
130 Malabar Road SE
Palm Bay, FL 32907
321-733-3061

Human Resource Director
120 Malabar Road SE
Palm Bay, FL 32907
321-952-3421

Palm Bay Police Department	
Subject: Equal Employment Opportunity Plan	General Order: 113

4. The Internal Affairs Sergeant and/or the Human Resource Director is responsible for the investigation of all reports of discrimination. The Internal Affairs Sergeant will work under the supervision of the Chief of Police and other city departments depending on the nature of the investigation.
5. Employees shall not falsify reports, provide false information, or disclose confidential information during any part of any EEO investigation.

C. Management Responsibility

1. All members of management are expected to be proactive in maintaining a discrimination and harassment-free work environment.
2. All members of management with knowledge of actual or suspected EEO violations are responsible for promptly reporting and ensure all of their subordinates know the process of reporting.
3. All members of management are expected to seek advice from the Internal Affairs Sergeant and/or Human Resource Director concerning any questions.

D. Reasonable Accommodations

1. Individuals with a disability under the ADA may request a reasonable accommodation that will enable a qualified applicant or employee to participate in the application process or to perform the essential job functions. Such requests shall be coordinated through the Human Resource Director.
2. Individuals may request a religious accommodation to enable them to exercise their religious practices.
3. Individuals with a disability may request a reasonable accommodation whenever they choose, even if they have not previously disclosed such disability.
4. Supervisors and managers who have any questions or concerns involving a reasonable accommodation must contact the Human Resource Director.
5. The Human Resources Director will determine whether a requested accommodation is reasonable or whether it imposes an undue hardship on

Palm Bay Police Department	
Subject: Equal Employment Opportunity Plan	General Order: 113

the City or workplace. Such determination is required before the requested accommodation may be granted.

E. Voluntary Mediation of EEO Reports

1. The Palm Bay Police Department may entertain an amicable resolution of any dispute in the workplace and may attempt to voluntarily mediate internal EEO reports.
2. Internal Affairs Sergeant and/or the Human Resources Director or his/her designee will make the arrangements for a voluntary mediation in appropriate circumstances.
3. All mediations are confidential, with the exception of those who "need to know", e.g. participants, Human Resources personnel, City Administration, and/or the City Attorney.

F. Policy Dissemination and Training

1. The Accreditation Unit will disseminate this plan on DMS so it will be available and accessible to employees.
2. The City maintains posters at worksites that contain information on how to contact the U.S. Equal Employment Opportunity Commission, the U.S. Department of Labor and the Florida Commission of Human Relations.
3. Filing an internal EEO report does not prohibit any employee from filing a charge of discrimination with any of the above external agencies.

G. Discipline for Non-Compliance

Failure to adhere to this policy will result in discipline up to and including termination of employment.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Purchasing Procedures	OM No: A108	
Rescinds: OMA108 Revised: 04/01/15	CFA 5th:	Revised Date: 11/03/17
Reference: Ordinance 2003-54, Administrative Code 22,		

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Section	Description
108	<u>Purpose</u>
108.1	<u>Definitions</u>
108.2	<u>Responsibilities</u>
108.3	<u>Procedure</u>

108 Purpose

- A.** The basic purchasing policy is established for the City of Palm Bay by City Code of Ordinances. The policies are outlined in the City Purchasing Manual for guidance and compliance by all City employees. This policy will establish the procedure for purchases of all supplies and services by all Department employees. **<Ordinance 2003-54>**
- B.** The Department will purchase from suppliers who have adequate financial strength, high ethical standards and a record of adhering to specifications including maintenance of shipping promises. New vendors will be given due consideration as multiple sources of supply are necessary to ensure availability of required materials.
- C.** The Department must strive to maintain strong and enduring relationships with vendors of proven ability and a desire to meet our needs. Purchasing activities will be conducted such that vendors will value our business and makes every effort to meet our requirements based on quality, service and competitive price.
- D.** Except as otherwise provided herein, it will be unlawful for any City employee to order the purchase of any commodities or make any contract other than through the City's Purchasing Agent. Any purchase order or contract made contrary to the provisions of this Policy and City of Palm Bay Code of Ordinance **<2003-54>** will not be approved by City officials and the City will not be bound thereby. **<AC 22, Purchasing>**

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Subject: Purchasing Procedures	Operating Manual: A108

- E. All purchase requisitions for commodities or services must be included or funded in the current fiscal year budget. Exceptions, additions or substitutions to the approved capital outlay requests must be approved by the City Manager prior to any purchase requisition action.

108.1 Definitions

- A. **Petty Cash** - Local purchases for incidentals and not in excess of \$25. Not to be used to purchase items that would normally be purchased through the requisition or blanket vendor system.
- B. **Purchase Request** - The written request to purchase a service or commodity.
- C. **Purchase Order** - The formal and legal document authorizing the purchase and subsequent payment for commodities and services.
- D. **Confirming Purchase Request** - The written request to pay for commodities or services obtained during an emergency in which there was insufficient time to process a Purchase Order.
- E. **Emergency Purchase** - The purchase of commodities or services in the case of an emergency that might affect the health, safety and welfare of the City or an employee.
- F. **Sole Source Purchases** - Sole Source purchases are typically very rare. In the event that they occur, it is the responsibility of the requesting bureau to supply a "letter of sole source" issued and signed by an authorized representative of the sole source vendor. This letter must identify they are the only source and whether they are the manufacturer or the manufacturer's representatives that can supply the City of Palm Bay with their particular commodity or service. These letters will be attached to the Purchase Request for submission to the City Purchasing Agent and may require further research to determine if the vendor is actually the only supplier available for the purchase.
- G. **Blanket Purchase** - For the purchase of commodities or services of \$150 or less.
- H. **Procurement Card Purchases** - The purchase of commodities or services obtained by using the assigned City Visa Credit Card. These purchases must be pre-approved by the cardholder's Manager or Lieutenant, or above.

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Subject: Purchasing Procedures	Operating Manual: A108

108.2 Responsibilities

- A.** Department Division Commanders are responsible for forecasting requirements for commodities and services and including such forecasts in budgetary estimates. Additionally, they are responsible for revising estimates, determining specifications and filing detailed purchase requisitions for commodities and services with the Program Specialist.
- B.** The Materials Management Supervisor is responsible for administering purchasing policies, initiating reports necessary to permit analysis of purchasing performance, consolidating purchases of like or common items, setting acceptable standards for materials, equipment and services, defining how to obtain greater savings and coordinating all purchasing procedures for the Department.

108.3 Procedure

Except under emergency conditions, direct purchase from a vendor with subsequent request for payment is strictly forbidden. All purchase requisitions for commodities or services must be included or funded in the current fiscal year budget. Exceptions, additions or substitutions to the approved capital outlay requests must be approved by the City Manager prior to any purchase requisition action.

A. Petty Cash

- 1.** Complete a Purchase Request with approval by a supervisor. Employee maintains custody of the Purchase Request.
- 2.** Item or service is purchased and a receipt obtained.
- 3.** Purchase Request, (with receipt attached), is turned in to the Materials Management Section for reimbursement.
 - a.** Tax is not reimbursable.
 - b.** Personal borrowing or check cashing from petty cash funds is strictly prohibited and is a punishable offense.
 - c.** Commodity requests such as emergency food for police officers or prisoner meals may be purchased from petty cash.

B. Purchases of \$500 or less

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1. Complete a Purchase Request with all required information and approval by a Manager, Lieutenant or above.
2. Forward completed Purchase Request to Budget Officer for account number distribution.
3. Submit Purchase Request to the Materials Management Section.
4. The Materials Management Section will notify the requestor upon receipt of the item.

C. Purchases of more than \$500, but less than \$1000

1. Complete a Purchase Request with all required information and approval by a Division Commander, or above.
2. Forward completed Purchase Request to Budget Officer for account number distribution.
3. Submit Purchase Request to the Materials Management Section.
4. The Materials Management Section will notify the requestor upon receipt of the item.

D. Purchases of \$1,000 but less than \$5,000

1. Complete a Purchase Request with all required information and approval by a Division Commander and the Chief.
2. Forward completed Purchase Request to Budget Officer for account number distribution.
3. Submit Purchase Request to the Materials Management Section.
4. The Materials Management Section will notify the requestor upon receipt of the item.

E. Purchases above \$5,000 but less than \$25,000

1. Complete a Purchase Request with all required information approval by the Chief and Deputy Chief. A minimum of three written quotations or a sole source letter confirmed in writing and signed by the vendor will be obtained and submitted at the Division level, and attached to the Purchase Requisition.

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Subject: Purchasing Procedures	Operating Manual: A108

2. Forward completed Purchase Request to Budget Officer for account number distribution.
 3. Submit Purchase Request to Materials Management Section.
 4. The Materials Management Section will notify the requestor upon receipt of the item.
- F. City Bid** - Purchases of \$25,000 and above must be submitted according to City Bid Procedures.
- G. Travel expenses** - Class "C" travel expenditures such as lunches, tolls and gas or mileage may be reimbursed from the Training Section petty cash providing travel has been pre-approved. Receipts must be submitted.
- H. Emergency Purchases** (Must be authorized by the Watch Commander)
1. All receipts and/or invoices must be attached to a Purchase Request.
 2. Submit Request to the Materials Management Section no later than the next duty day.
- I. Blanket Purchase Orders** - Only authorized personnel will be permitted to charge expenses to any blanket purchase order vendors.
- J. Check Requisitions** - To be used for the expenditure of funds for items or services not suitable for procurement by purchase order, such as: membership dues, subscriptions, seminar fees, travel requests, shoe reimbursement, etc. (All travel expenses, seminar fees, lodging, air fare, school registration, etc., must be submitted to the Training Coordinator for processing.)
1. Complete a check requisition form with approval by a Division Commander or Manager.
 2. Submit request to the Budget Officer.
 3. Check will be sent to requestor upon approval.
- K. Procurement Cards** - Purchases made by using the City Visa Credit Cards by a named individual who is responsible for its use and the City of Palm Bay is clearly shown on the card as the government buyer of the goods/services, (City Administrative Code 22a, Purchasing Section).
1. Requests for card issuance are made by the Division Commander and/or Deputy Chief to the department's Purchasing Card Administrator

Palm Bay Police Department	
Subject: Purchasing Procedures	Operating Manual: A108

(Materials Management Supervisor). Those requests are forwarded to the City's Purchasing Division who will process the request and conduct a training class before credit card is assigned to the individual's whose name appears on each card.

2. Complete a purchase request with approval by a Manager and/or Division Commander or Deputy Chief.
 3. Once purchase has been made, attach original receipt to approved purchase request and complete Credit Card Log Sheet.
 4. A Credit Card Log Sheet is to be completed on a monthly basis containing all orders made by the cardholder for each billing cycle.
 5. Forward all paperwork to Materials Management Supervisor no later than the first week of each month.
- L. Office Supply Orders** - Most common office supply products are kept in the Supply area of the Materials Management Section. Special orders should be placed with the Supply Section.

PALM BAY POLICE DEPARTMENT OPERATING MANUAL

Subject: Audits

Order No: A109

Rescinds: OM A109 Revised: 04/01/15

CFA 5th:

**Revised Date:
09/13/16**

Reference: <[GO 109](#)>

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109.1	Definitions
109.2	General
109.3	Types of Audits
109.4	Documentation
109.5	Audit Schedule
109.6	Inspection Schedule

109 Purpose - The purpose of this directive is to establish guidelines for conducting internal audits in the Agency.

109.1 Definitions

- A. AMU** - Accreditation Management Unit
- B. GO** - General Order
- C. FTEP** - Field Training and Evaluation Program

109.2 General

- A.** The Agency is accountable to report and correct systemic inefficiency and faulty application of laws, rules, and orders in order to further our mission. The use of audits and inspections are two methods of accomplishing this responsibility. Internal audits and inspections identify problems or inefficiencies associated with internal functions. Internal reporting of functions, funds, property, and personnel promote public confidence in the Agency by identifying potential problems and correcting them in a timely manner in order to facilitate our mission. The type of audit or inspection defines the parameters of the examination.
- B.** During any audit or inspection, if an auditor identifies a serious policy or law violation by an employee, the audit will stop. The Chief of Police, or designee, will be briefed on the facts or allegations of the violation. The Chief

Palm Bay Police Department	
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of Police may order an internal investigation, fact finding investigation, or continuation of the audit.

109.3 Types of Audits

A. Chief of Police Directed Audits - Directed Audits encompass a specific examination of elements identified by the Chief of Police. They may include a single element or all elements of responsibility in the auditee's control as ordered by the Chief. The Chief may direct any person to conduct this audit including outside entities. Dissemination of documentation, (including remedial action plans/post remediation reports), will be as follows:

1. Original to the Chief of Police
2. Copy to the Accreditation Management Unit
3. Copy to any personnel as directed by the Chief of Police

B. Annual Audits - Annual audits contain the widest spectrum of review possible for an internal audit. Annual audits include evaluation of all elements in the control and surrounding control of the auditee. Annual audits are thoroughly documented and time consuming endeavors requiring time management, scheduling, and planning. Annual Audits are conducted by Division Commanders unless specifically assigned to other personnel by the Chief of Police. The auditor may enlist or require other personnel to assist in the examination; however, the auditor is ultimately responsible to compile the material and document the report. Dissemination of documentation, (including remedial action plans/post remediation reports), will be as follows:

- a. Original to the Chief of Police
- b. Copy retained by Division Commander
- c. Copy provided to auditee
- d. Copy provided to Accreditation Management Unit

C. External Audits - External audits are conducted by a person or an entity not a member of the agency. The extent of these audits is regulated only by the requesting authority. All documentation, outcomes, and recommendations are provided to the requesting authority only. The requesting authority may or may not elect to provide copies of the audits to affected personnel. Only the Chief of Police may authorize an external audit.

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109.4 Documentation - All audits will contain the following elements in the order shown below. If interviews are determined to be irrelevant, that will be documented in the final report [Audit Template](#).

A. Sections of Report

- 1. Executive Summary** - The Executive Summary is written in memorandum form and contains a concise summary of the audit. It is addressed to the office and person ordering the audit.
- 2. Background and Scope** - This section identifies:
 - a. Type of audit
 - b. Specific instructions by the requesting authority
 - c. Auditor name and position
 - d. Auditee's name
 - e. Auditee's Responsibility
 - f. Auditee's Chain of command
 - g. Objectives of the audit
 - h. Methodology used to gain insight
- 3. Applicable Laws, Rules, and Orders** - This section identifies any laws, rules, and orders that are applicable to the auditee and their function. All applicable and relevant laws, rules, and orders are attached addendums to the final report.
- 4. Interviews** - This section includes any relevant testimony obtained during the examination. Depending on the type and objectives of the audit written interrogatories and/or group or individual interviews may be used. Relevant comments, concerns, and perceptions will be included in the audit report in the form of summarizations. There is no confidentiality pertaining to individual testimony, however, at the source's request, the name of the source may be left out unless deemed necessary by a higher authority. In no event will the testimony summarization be redacted from the report.
- 5. Supporting Documentation** - This section includes any relevant information obtained during the audit process. Supporting documentation

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tends to prove or support auditor findings and recommendations. Types of supporting documentation may include, but not be limited to the following material:

- a. Previous audit results and outcomes
 - b. Previous Inspection results and outcomes
 - c. Statistical Data and Records
 - d. Financial Data and Records
 - e. Memorandums/emails
 - f. Complaints and Discipline records
 - g. Other personnel information
6. **Deficiencies and Anomalies** - This section specifically identifies areas of concern. They are typically auditor observations, testimony, and supporting documentation. These will be evaluated using relevant laws, rules, and orders. This process may identify loop-holes in existing rules or orders.
 7. **Recommendations** - This section of the audit systematically offers auditor solutions to the concerns, deficiencies, or anomalies. More than one solution to each concern is preferred.
 8. **Remedial Action Plan** - This section of the report is an assessment by the requesting authority of the audit results. If remediation is recommended by this authority, an action plan detailing the remediation will be completed with an expected compliance date or time frame. The action plan must be completed within **ten** days of receiving the audit report. During remediation, if alternate solutions to a concern surface, they will be documented in supplement to the Remedial Action Plan. This documentation compiled with the original audit within **ten** days of being identified.
 9. **Post Remediation Report** - This section will be added to the audit within **ten** days following the completion of the remedial action plan. It will indicate if compliance was obtained or if an extension is required and why. Any extension and justification must be approved by the next higher authority unless the authority is the Chief of Police.

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109.5 Audit Schedule - Audits will be completed by the Division Commander at the direction of the Chief of Police. This does not preclude any other functions being audited by order of a Division Commander or the Chief of Police.

A. Support Services Division - Audits performed by or at the direction of the Support Services Division Commander include:

1. Petty Cash
2. Records Unit
3. Property and Evidence

B. Special Operations Division - Audits performed by or at the direction of the Special Operations Division Commander include:

1. Confidential Investigative and Evidentiary Funds
2. Confidential Informant Files

C. Uniform Services Division - Audits performed by or at the direction of the Uniform Services Division Commander include:

1. Canine Program
2. Honor Guard
3. Communications Division

D. Executive Section - Audits performed by or at the direction of the Chief of Police include.

1. Asset Forfeiture Program
2. As assigned by Chief of Police or designee

109.6 Inspection Schedule - See GO109

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Use of Force	Order No: 201	
Rescinds: GO 201 Use of Force Revised: 05/09/18	CFA 5th: 4.01, 4.02, 4.04, 4.06, 4.07, 4.08, 15.15	Revised Date: 06/27/18
Reference: FSS Chapter 776, Response to Resistance Form, Tennessee v. Garner, 471 US.1(1985), U.S. Department of Justice Deadly Force Policy, GO 202, 203, 204, 205, 206, 207, 208, 209,405.		

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201 Policy

- A.** It is the policy of the Agency to act within the scope and guidelines of the Florida Statutes and current case law with regard to the use of force. Officers and Desk Booking Specialists, (DBS), will use only that force required to accomplish lawful objectives. This policy will define circumstances under which the use of lethal and less-lethal force by officers and DBS is permissible. [FSS 776.05](#)
- B.** Escalation, de-escalation, and disengagement are important concepts in making legally and tactically sound, reasonable responses to resistance. Officers are legally permitted to escalate their use of force as the subject escalates his or her level of resistance. The officer's choices are determined by the subject's actions and the risk of physical harm posed to the officer or others. Once the officer achieves control or compliance, he or she must de-escalate the use of force. Under certain circumstances, disengagement may be the best tactical option, for example, when the officer is waiting for backup, when the officer is injured or outnumbered or when the suspect has superior firepower. Officers and DBS will use the [Force Guidelines](#) when considering response to resistance options.
- C.** When any level of force results in injury, the appropriate medical aid will be rendered as necessary when the situation has deescalated and it is safe to do so.

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- D. Any member who uses physical force as defined herein will immediately notify the on-duty supervisor without unnecessary delay.

201.1 Definitions

- A. **Deadly Force** - The term "deadly force" means force that is likely to cause death or great bodily harm and includes, but is **not** limited to:

1. The firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm;

OR

2. The firing of a firearm at a vehicle in which the person to be arrested is riding. [FSS 776.06](#)

- Some examples of deadly force include use of a firearm, eye gouges, empty-hand strikes to the throat, and impact-weapon strikes to the side of the neck.
- Use of deadly force may be an officer's first and only appropriate response to a perceived threat.
- Deadly force does not necessarily mean that someone died from the force used.
- It can cause great bodily harm or no harm at all.
- For example, returning fire is deadly force even if the officer misses the target.
- The officer must base his or her decision to use deadly force as a defensive tactic on a clear, reasonable belief that he or she, a fellow officer, or another person, faces imminent danger of death or great bodily harm.

- B. **Compliance** - is the verbal or physical yielding to an officer's authority without apparent threat of resistance or violence.

- C. **De-escalation** - is decreasing the use of force or resistance.

- D. **Disengagement** - is discontinuing a command or physical use of force, for example, by breaking away from a subject.

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- E. Electro-muscular Disruption Devices (Advanced Taser)** - is a conducted energy device which projects two probes or acts as a touch stun device and delivers an electrical signal to cause muscle motor and sensory skill dysfunction. It is intended to temporarily incapacitate a subject with a minimal potential for causing death or great bodily harm.
- F. Escalation** - is increasing the use of force or resistance.
- G. Implement of Force** - is any mechanical, chemical, electronic or manual device or technique applied to a person to be taken into custody with intent to gain compliance, affect arrest, protect life or property or stop the commission of a violent felony.
- H. Kinetic Energy Impact Projectiles and Grenades** - are flexible or non-flexible projectiles intended to incapacitate a subject, but having minimal potential for causing death or great bodily harm when compared to conventional projectiles.
- I. Less-Lethal Force** - is a quality or quantity of force which is neither likely nor intended to cause death or great bodily harm. The term "deadly force" does not include the discharge of a firearm by a law enforcement officer or DBS during and within the scope of his or her official duties which is loaded with a less-lethal munition. As used in this subsection, the term "less-lethal munition" means a projectile that is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating the person's body. A law enforcement officer or a DBS is not liable in any civil or criminal action arising out of the use of any less-lethal munition in good faith during and within the scope of his or her official duties [FSS 776.06](#). Officers and DBS will only utilize implements of force for which they have been trained except as provided in 201.3A6.
- J. Less-Lethal Force Philosophy** - is a concept of planning and force application that meets operational objectives with less potential for causing death or great bodily harm than conventional police tactics.
- K. Nonlethal weapon** - is an implement that is not fundamentally designed to cause death or great bodily harm. Some examples of nonlethal weapons include electronic control devices (ECD), dart firing stun guns, such as a TASER®, expandable batons, flashlights, and chemical agent sprays.
- L. Physical control** - is achieving compliance or custody through the use of empty-hand or leverage-enhanced techniques, such as pain compliance, transporters, restraint devices, takedowns, and striking techniques.
- M. Preliminary Administrative Review** - A documented determination by the Chief of Police or designee regarding the actions and/or fitness for duty of a

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member based on information available at the time. This is antecedent to a complete investigation and is in no way to be construed as a final determination of the facts of the incident.

N. Violent Felony - is murder, armed robbery, armed sexual battery, kidnapping, carjacking by use of a deadly weapon, burglary to an occupied structure when the officer has **probable cause** to believe the suspect is armed with a deadly weapon, arson, use or discharge of an explosive device or firearm in or about an occupied structure, or any other felony involving the use, or threatened use, of deadly force.

201.2 Authority

A. Florida State Statute Chapter 776 - This statute outlines the conditions under which law enforcement officers, corrections certified personnel and citizens may legally use force in the State of Florida. In general, the Department's policy regarding the use of force requires members to employ the amount of force reasonable to protect life and property or to make a lawful arrest.

B. Copy of Policy - Every member authorized to carry lethal and non-lethal force weapons will be issued a copy of, and be instructed in, the application of this directive prior to being authorized to carry or deploy any implement of force.

C. Approved Implements and Training - Only implements of force (nonlethal weapons) and response to resistance techniques instructed and authorized by the Agency may be carried or utilized, on and off duty, consistent with current and approved Agency training. Members will demonstrate proficiency with each implement of force prior to carrying or deploying the implement.

D. Review and Approval Process - The Training Section will designate a lead Use of Force Instructor who will be responsible for review and approval recommendations for all implements of force used by authorized Agency members. The Chief of Police will have sole authority to approve or disapprove an implement of force, (weapon).

E. Last Resort - Nothing in this policy prohibits the use of an implement of opportunity and/or unconventional technique as a last resort to protect an officer's or DBS's life, or the life of another, in dire circumstances.

201.3 Types of Force

A. Deadly Force - An officer is justified in the use of deadly force in the following circumstances:

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1. **Use of force in defense of person** - An officer or DBS is justified in the use of deadly force only if they reasonably believe that such force is necessary to prevent imminent death or great bodily harm to themselves or another or to prevent the imminent commission of a violent felony. [FSS 776.012](#)
2. **Affect an arrest of a fleeing felon** - An officer or a DBS, whom the officer has summoned or directed to assist him or her, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest.

AND

- a. When necessarily committed, in arresting felons fleeing from justice. Deadly force may be used to prevent an arrest from being defeated by such flight and, when feasible, some warning has been given,

AND

- b. The officer reasonably believes that the fleeing felon poses an imminent threat of death or serious physical harm to the officer or others.

OR

- c. The officer reasonably believes that the fleeing felon has committed a crime involving the infliction or threatened infliction of serious physical harm to another person. In the case of aggravated assault or armed burglary, the use of deadly force to stop a fleeing felon may only be used when the perpetrator poses a continued imminent threat. [FSS 776.05](#)

3. **Prevent escape from a penal institution - (County Jail or State Prison)**
An officer or correctional officer, DBS or other law enforcement officer is justified in the use of force, including deadly force, which is reasonable to prevent the escape from a penal institution of a person whom the officer reasonably believes to be lawfully detained in such institution under sentence for an offense or awaiting trial or commitment for an offense. This does not include Agency facilities, outposts, holding cells, booking areas, or patrol cars. [FSS 776.07](#)
4. Whenever **practical**, some sort of verbal warning should be given prior to the application of any deadly force.
5. Deadly force will be used only as a last resort.

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6. Implements of force or opportunity and/or unconventional techniques may be used as a last resort to protect an officer's, or DBS's, life in dire circumstances.
7. Officers and DBS II **will not** discharge their firearms at or from a moving vehicle, except as an ultimate measure of self-defense or defense of another. The use of a firearm for the exclusive purpose of stopping the motion of the vehicle is prohibited.

OR

- a. For the exclusive purpose of making an arrest is prohibited.

OR

- b. To prevent the escape of an occupant is prohibited.

8. The prohibitions listed in section (7) above, **DO NOT** apply to the use of firearms when employed under the following circumstances:
 - a. In cases where the officer is an occupant of the vehicle and has a reasonable ability to establish and gain control of the operation of the vehicle.
 - b. An occupant is engaged in force likely to cause death or great bodily harm against another person in, on or about the vehicle and the officer believes the use of deadly force by a firearm is the only effective means to stop this action.
 - c. Where the vehicle is stationary, parked or traveling at extremely low speeds and there is an ability to immediately establish control of the vehicle by the officer or another occupant.
 - d. By officers using specialized weaponry and ammunition that will effectively incapacitate an occupant and either the vehicle will be incapacitated or control of the vehicle can be quickly established by officers or other occupants.
 - e. Nothing herein prohibits the appropriate use of tire deflation devices or authorized vehicle pursuit techniques as provided in Vehicle Pursuits [GO 214](#).
9. Members whose accidental or deliberate actions result in death or great bodily harm will be placed on administrative leave with pay until a

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preliminary administrative review is conducted by the Chief of Police, or designee.

10. Warning shots are prohibited.

B. Less-Lethal Force Legal Authority

1. The Agency has adopted a less-lethal force philosophy to assist with the de-escalation of potentially violent confrontations. Officers or DBS will use statutory guidelines for the use of non-lethal force. Officers or DBS are authorized to use less lethal force will use such force in accordance with force guidelines. An officer or DBS is justified in the use of force, except deadly force, against another in the following instances:

a. Protection of Life and Property:

- When an officer or DBS reasonably believes less-lethal force is necessary to defend themselves or another against the use of unlawful force. [FSS 776.012](#)
- Only a sworn officer is justified in the use of force, except deadly force, against another when and to the extent that the person reasonably believes that such conduct is necessary to prevent or terminate the other's trespass on, or other tortious or criminal interference with, either real property other than a dwelling or personal property, lawfully in his or her possession or in the possession of another who is a member of his or her immediate family or household or of a person whose property he or she has a legal duty to protect. [FSS 776.031](#)

b. Use of Force in Making an Arrest: [FSS 776.05](#)

- An officer, or DBS who has been summoned by an officer, need not retreat or desist from efforts to make a lawful arrest because of active, threatened, or passive resistance to the arrest.
- An officer or DBS is justified in the use of force when it is reasonably necessary to protect themselves or another from bodily harm.

- c. The use of the carotid or chokehold as a means of controlling or subduing a suspect is prohibited unless the use of deadly force is appropriate and no other means are available.

201.4 Force Guidelines - provide a framework for making decisions involving the reasonable use of force. The structure of the Force Guidelines is based on

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constitutional considerations and case law and describes appropriate decision making in a fluid and dynamic situation. The Guidelines consider the relationship between subject resistance and various situational factors in determining the officer's response options.

A. Subject Resistance Levels

1. Passive resistance is a subject's verbal and/or physical refusal to comply with an officer's lawful direction causing the officer to use physical techniques to establish control. Some examples of passive resistance include the following:
 - a. The subject refuses to move at the officer's direction.
 - b. The subject peacefully protests at a political event in a public location.
 - c. The subject refuses to take his hands out of his pockets or from behind his back.
2. Active resistance is a subject's use of physically evasive movements directed toward the officer such as bracing, tensing, pushing, or pulling to prevent the officer from establishing control over the subject. Some examples of active resistance include the following:
 - a. The subject physically anchors himself to a person or object to prevent himself from being removed.
 - b. The subject braces or pulls away from the officer when the officer grips the subject's arm.
 - c. The subject attempts to run when the officer touches or attempts to grab him.
3. Aggressive resistance is a subject's attacking movements toward an officer that may cause injury but are not likely to cause death or great bodily harm to the officer or others. Some examples of aggressive resistance include the following:
 - a. The subject pushes the officer back as the officer tries to take him into custody.
 - b. The subject grabs any part of the officer's body.
4. Deadly force resistance is a subject's hostile, attacking movements with or without a weapon that create a reasonable perception by the officer that the

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subject intends to cause and has the capability of causing death or great bodily harm to the officer or others. Some examples of deadly force resistance include the following:

- a. The subject refuses to drop a knife when ordered to by the officer and moves toward the officer.
- b. The subject shoots or points a gun at an officer or other person.
- c. The subject tries to run an officer down in a vehicle.

B. Officer Response Options

Officers should always try to resolve a situation with the least amount of force necessary. Command presence and verbal communication often will defuse many volatile situations. Sometimes, however, these are not enough or officers may not have an opportunity to use them. Officers need not apply force in gradually increasing steps in order to justify physical control or even deadly force. Instead, officers need to respond with all the force reasonably necessary for the circumstances in each specific situation. Options include:

1. Physical control
2. Nonlethal weapons
3. Deadly force

C. Factors for Deciding When to Use Deadly Force

Officers use three criteria for making deadly force decisions: ability, opportunity, and intent.

1. **Ability** refers to the subject having the means to carry out his or her intent to cause death or great bodily harm. An officer must determine whether the subject has the necessary means to cause death or great bodily harm to the officer or others. A weapon is not required; a subject must only have the apparent ability to carry out his or her intention. If the subject seems physically able to cause death or great bodily harm, then he has the ability. For example, a 6'4", 250-lb. muscular man threatening to do bodily harm to an officer does not necessarily need a weapon. By virtue of his size and physical condition, he has the apparent ability.
2. **Opportunity** means the subject is capable of carrying out an intention to cause death or great bodily harm to the officer or others. The subject's weapon often determines opportunity. For example, a suspect armed with

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a knife may not be an immediate threat to an officer standing far away. However, the same person standing closer or carrying a firearm certainly has the opportunity to carry out his intent to cause death or great bodily harm.

3. **Intent** is a reasonably perceived, imminent threat to an officer or another person based on the subject's actions, behaviors, words, or other indicators. It is a perception derived from the totality of the circumstances. Officers should use the amount of force necessary and reasonable for the situation. If ability, opportunity, and intent are present and the officer cannot control the threat using lesser means, then deadly force is justified. Remember that when resistance deescalates, so must the response.
- D.** Totality of circumstances is a term the court uses to refer to all facts and circumstances known to the officer at the time or reasonably perceived by the officer as the basis for a use of force decision. The courts will look at the totality of circumstances in determining whether the decision was objectively reasonable and, therefore, legally justified. The totality of circumstances includes consideration of the subject's form of resistance, all reasonably perceived factors that may have an effect on the situation, and the response options available to the officer. Some situational factors may include the following:
1. Severity of the crime
 2. Subject is an immediate threat
 3. Subject's mental or psychiatric history, if known to the officer
 4. Subject's violent history, if known to the officer
 5. Subject's combative skills
 6. Subject's access to weapons
 7. Innocent bystanders who could be harmed
 8. Number of subjects versus number of officers
 9. Duration of confrontation
 10. Subject's size, age, weight, and physical condition
 11. Officer's size, age, weight, physical condition, and defensive tactics expertise

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12. Environmental factors, such as physical terrain, weather conditions, etc.

- E. The Force Guidelines recognizes that officers make use of force decisions based on the totality of circumstances at the time of the incident. Circumstances are fluid and dynamic. Formulating a valid response requires continual assessment as the situation changes.

201.5 Implements of Force - The following is a list of authorized implements of force. Weapons listed will be inspected by the Agency instructor when initial training is provided, at proficiency training and by supervisors during the line inspection process. Firearms are inspected only prior to a member carrying the firearm as directed in GO 202. Inspection requirements are outlined in each General Order listed below. Authorization to carry and/or use the implements will be granted only to those members who have successfully completed the Agency-approved training course and in accordance with Agency Training General Order [GO 405](#). Completed Response to Resistance Forms on the use of implements of force will be included in the Department's annual review.

- A. Firearms [GO 202](#)
- B. Less- Lethal Munitions [GO 203](#)
- C. Taser [GO 204](#)
- D. Chemical Agents [GO 205](#)
- E. Expandable Baton [GO 206](#)
- F. Flashlight [GO 207](#)
- G. Hands Free Control [GO 208](#)
- H. Restraint Devices [GO 209](#)

201.6 Implement Carry Requirements - All sworn officers and Desk Booking Specialists will adhere to the following implement carry requirements.

- A. **First Responders** - All uniform sworn officers and Desk Booking II who are first responders will wear a firearm, handcuffs, Advanced Taser, chemical agent (optional), expandable baton and /or short flashlight on their duty belt. If the officer is wearing an authorized load bearing vest, the firearm and magazine pouch will be worn on the duty belt and all other implements may be worn on the vest in a neat and orderly fashion.

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- B. Lieutenants, Sworn Officers in Administrative Positions, and Upper Command Staff** - may wear a duty belt with a firearm and pac set when in police uniform.
- C. Non-Uniformed Officers** - will carry at least one authorized firearm and nonlethal implement on their person, or in carry bag, and one set of handcuffs while on duty and out of the office. If the implement and handcuffs are exposed to public view, officers must prominently display their badge either beside their firearm, (next to their holster), or on a neck chain. Officers must also be dressed in accordance with [GO 413](#) or wearing a Department-approved polo shirt, tee shirt with badge insignia or jacket with badge insignia. Unless clearly identified as a police officer, implements, handcuffs and firearms will be concealed from public view. Officers working in an undercover capacity, or officers with the approval of a Division Commander, are exempt from dress and carry requirements noted above.
- D. Desk Booking I** - will carry authorized handcuffs, chemical agent and expandable baton and/or short flashlight on their duty belt.

201.7 Reporting Response to Resistance

- A. Report Required** - Members will submit a written report prior to the end of their tour of duty whenever they apply physical force, implements of force, or discharge a firearm for other than training or recreational purposes. Properly applied restraint devices are neither physical force nor implements of force for reporting purposes. Therefore the application of restraint devices on compliant subjects does not require a report; however, members will complete a report when using the TARP procedure.
1. A report is required whenever a member takes an action that results in, or is alleged to have resulted in, injury or death of another person.
 2. In cases of serious, (great bodily), injury or death of a suspect, the member who applied force on the injured or deceased suspect, is allowed consultation with a representative or legal counsel prior to providing a statement or report. In such cases, the member will provide a statement or report within 48 hours after the incident, unless otherwise approved by the Chief of Police. This exception applies only to the member(s) who applied force resulting in serious (great bodily) injury or death of the suspect.
 3. **Response to Resistance Form** - Reporting members will complete a Response to Resistance Form and forward this form to their supervisor prior to the end of their tour of duty except in incidents described in A2, where they will report within 48 hours. [Response to Resistance Form](#)

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4. Photographs MUST be taken of ALL subjects that force is used on whether or not they have/complain of injuries. Photos will be copied to a CD/DVD. One copy of the photos will be turned in to Property & Evidence as evidence, and the second copy will be forwarded to Internal Affairs, through the chain-of-command, with the Response to Resistance form.
- B. Notification** - Members will immediately notify the Communications Center and their supervisor when physical force is used. Additionally, when a subject has slipped out of the hand cuffs to defeat the restraints, the Communications Center and supervisor will be notified without delay.
- C. Supervisor Responds** - The officer's supervisor will respond to the scene, ensure medical attention has been applied when necessary, interview witnesses, and review the application of force. The supervisor will make the initial determination whether or not the use of force was found to be in compliance with policy.
1. **Use of Force by Lieutenant or Higher Rank** - In the event a use of force is made by a Lieutenant or higher rank, the on-duty Commander will be immediately notified. A staff duty notification will be made via telephone in the event the use of force occurred during nights or weekends. The contacted Commander will have the option of responding or delegating the use of force investigation to an on duty Sergeant or higher rank.
 2. No junior ranking officer will investigate a senior ranking officer's response to resistance unless advised to do so by a Commander.
- D. Watch Commander Review** - The member's supervisor will review the Response to Resistance Form and forward this form to his Watch Commander for review within 24 hours or prior to the end of the supervisor's tour of duty if it is their last scheduled work day.
- E. Division Commander's Responsibilities** - The Division Commander or Deputy Chief, upon receipt, will review the Response to Resistance Form and note his assessment of the use of force that is or is not in compliance with policy. The Division Commander or Deputy Chief will forward the Response to Resistance Form to the Internal Affairs Unit by the end of his/her tour of duty. The Division Commander or Deputy Chief or supervisor will not determine on the Response to Resistance Form whether or not the force was in policy involving incidents where the person sustained seriously bodily injury or death.
- F. Response to Resistance and Arrest** - Officers' actions in employing physical force which includes takedowns, use of the Taser, (drive stun or probe), chemical agents, or impact weapons, should result in an arrest for criminal

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charges or other legal action, (Baker Act, Myers Act, etc.). If arrest is deemed inappropriate, the Division Commander or Watch Commander will be notified immediately and an Incident Report and a Response to Resistance Form will be completed.

G. IA Review - The supervisor of the Internal Affairs Unit will review all Response to Resistance Forms and note his assessment of the use of force that is, or is not, in compliance with policy. The Internal Affairs Unit supervisor will forward a copy of the Response to Resistance Form to the Training Section. The Internal Affairs Unit will provide an annual use of force report on all reported Agency use of force incidents. [GO 224](#)

H. Training Needs - The Training Section will review Response to Resistance Forms in order to assess current Agency training needs. [GO 405](#)

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Rescinds: GO 202 Revised: 05/31/17	CFA 5th: 4.03, 4.05, 10.04	Revised: 07/02/18
Reference: Law Enforcement Officers Safety Act of 2004, Equipment Authorization Form, GO 211, 215, 223, 405		
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202 Policy

The Agency promotes the lawful, safe carry, and use of firearms by authorized members who adhere to this directive. Authorized members are sworn officers and CJSTC corrections certified Desk Booking Specialists II (DBS II).

202.1 General Requirements

A. Firearms and ammunition are significant safety and civil liability concerns. Therefore, all firearms and ammunition carried on or off duty will be reviewed, inspected and approved by an Agency firearms instructor or armorer prior to carry [Firearms Inspection Form](#). On-duty holsters also will be prior approved. Authorized members are required to comply with all firearms safety rules.

1. All firearms and ammunition carried on or off duty must be submitted for approval using the [Equipment Authorization Form](#).

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- B. The Agency requires all sworn members to successfully complete the appropriate minimum state certification program prior to assignment in any capacity in which the member is allowed to carry a firearm or is in any position to make an arrest.
- C. Authorized members will carry and use firearms in a careful and prudent manner on and off duty in accordance with law and Agency procedures. No authorized member will be approved to carry a firearm or be issued an Agency firearm before the member has demonstrated proficiency and is trained on the Agency's Use of Force policy. [GO 201](#)
- D. All handguns carried as a primary duty firearm will have a first round trigger weight of no less than five pounds or manufacturer specifications. Subsequent rounds may be fired at a trigger weight consistent with manufacturing tolerances. Secondary handguns carried as backup firearms while on duty may have a trigger weight of five pounds or more (based upon manufacturer specifications) for the first shot and subsequent rounds.
- E. Agency-owned handguns will be modified at no expense to the member. Division Commanders will coordinate modifications with the Firearms Training Unit. The Agency will make every effort to modify the **trigger weight only** of personally owned alternative handguns at little or no cost to the member. However, in those instances where a cost is encumbered to modify the handgun, the cost is the exclusive responsibility of the member.
- F. The Agency will issue an approved handgun for members not wishing to have their personally owned handgun modified. If a member chooses to carry an approved personally owned firearm as a primary weapon, they must not be issued an agency owned firearm. If the member opts to carry a personally owned firearm after already being issued an agency one, the member must return the department owned firearm immediately to the Agency Armorer.
- G. No functional alterations on firearms are allowed unless authorized by the Chief or his designee, and approved by the Firearms Training Unit using the Equipment Authorization Form.

202.2 Definitions

- A. **Primary Duty Firearm** - The primary handgun utilized by authorized members on duty.
- B. **Long Gun** - A shoulder-fired firearm such as a rifle or shotgun.

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- C. Secondary Duty Firearm** - Consists of those firearms which are not the primary duty firearm. Secondary duty firearms will not be used as the officer's primary duty firearm. Officers must carry and use them only in conjunction with carrying the primary duty firearm and not in place of the primary duty firearm.
- D. Off Duty Firearms** - Consists of any firearm which the member will carry while off duty. All off duty personally owned firearms must be approved, inspected prior to carry, and qualified with annually.

202.3 Duty Firearms

- A. Primary Issue Duty Firearm** - The primary issued duty firearm is the Glock 9 mm auto pistol series and Glock .45 for SWAT members.
- B. Authorized Primary Duty Firearm** - An Agency owned and issued firearm to a sworn member or DBS II is an authorized firearm. Also included as authorized are personally owned firearms which have been documented and approved on an [Equipment Authorization Form](#). The member may carry the authorized firearm(s) on or off duty after qualifying.
1. All primary duty firearms must have a barrel length of at least 4 inches with exceptions noted below which may be utilized only by members who are in administrative or undercover assignments after approval from the Chief of Police:
 - a. Smith and Wesson revolvers and;
 - b. Glock 26 pistols
 2. Members who have been issued the above listed firearms who leave their administrative or undercover assignment must immediately return the firearms to the Agency's Armory. These firearms are not considered the employees permanent issue firearm and will not be issued to any employee as their retirement firearm.
- C. Approved Firearms** - Members authorized to utilize firearms will be issued the 9mm as a primary duty weapon unless assigned to a specialty unit as noted previously in this directive. Members may also choose to purchase their own firearm and have their choice of 9mm, .40, or .45 caliber handguns which are made from the following manufacturers:
1. Glock Pistols, with 5 lb. Connector

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2. SigArms Pistols
 3. Beretta Pistols
 4. Smith & Wesson Pistols
 5. Heckler & Koch Pistols
 6. Any revolver that has been approved and authorized by the Chief of Police or designee.
- D. These pistols must be double-action, only, or traditional double-action with an initial trigger pull at or exceeding five pounds or factory specifications. On traditional double action pistols, the secondary trigger pull must be at factory specifications. The only modifications are an approved light source and a **pre-approved** optic with co-witness sights that meet military or law enforcement specs AND are approved by the Training Section Lieutenant or designee. An [Equipment Authorization Form](#) must be completed prior to adding the sight to the pistol. The following are pre-approved pistol optics:
1. Leupold Deltapoint Pro
 2. Trijicon RMR
 3. Burris Fastfire
 4. Vortex Venom
 5. Sig Sauer ROMEO
- E. Sworn officers and DBS II must supply their own approved duty holster that is of the same make and model as currently issued by uniform services if their chosen firearm is not one issued by the Agency. Sworn officers and DBS II who choose to add a personal pre-approved optic will be responsible for purchasing a holster of the same make and type that will accommodate and protect the optic. An [Equipment Authorization Form](#) must be completed prior to utilizing the new holster.
- F. Officers will supply authorized magazine pouches, magazines and any other related gear for their chosen handgun if not issued by the Agency.

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G. The Agency will provide ammunition, both range and duty for on duty department training days and operations.

H. Authorized Ammunition - Ammunition authorized for duty use will be:

1. 9mm - Speer Gold Dot 9mm Lugar +P 124gr GDHP
2. 40 S&W - Speer Gold Dot 40 S&W 165gr GDHP
3. .45 Auto - Speer Gold Dot 45 Auto +P 200gr GDHP
4. .32 Auto Speer Gold Dot 32 Auto 60gr GDHP
5. .380 Auto Speer Gold Dot .380 Auto 90gr GDHP
6. .38 Special - Speer Gold Dot 38 Special +P 125 gr GDHP
7. .223 - 55gr Remington Pointed Soft Point
8. .308 - Speer Gold Dot 308 WIN 168gr Speer GDSP

I. Uniform Patrol Officers - Uniform patrol officers and DBS II who are on-duty will have an approved primary duty firearm and approved duty holster on their person. They will wear a full duty belt. Members who wear a jacket while in uniform must ensure that the jacket clearly identifies the member as an officer (i.e., department badge and police written on the back).

J. Non-Uniform Officers - Non-uniformed officers who are on-duty will have their firearm in an approved holster or approved carry bag ("fanny pack," purse, etc). If the firearm is exposed to public view, officers must prominently display their badge either beside the firearm or on a neck chain.

1. Officers must also be dressed in accordance with [GO 413](#) or wear an Agency-approved polo shirt, tee shirt with badge insignia or jacket with badge insignia.
2. Unless clearly identified as a police officer, firearms will be concealed from public view.
3. Other than travel to and from work, non-uniformed officers are not authorized to wear their firearm in public view outside their jurisdiction unless they are on duty acting in an official law enforcement capacity.

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- K. Additional Carry Requirements** - Refer to Use of Force Implements of Force Carry Requirements [GO 206](#).
- L. Secure from Prisoner** - While in Police Headquarters, sworn officers and DBS II will store their firearms in a secure area or locker when in the Detention Area and Interview Rooms while interviewing a suspect. [GO 211](#)
- M. Secondary Duty Firearms** - Secondary duty firearms are authorized individually by the Chief or his designee and approved by the Firearms Training Unit using the [Equipment Authorization Form](#). The individual officer must provide secondary duty firearms.
- N. Officer Interviews** - Officers who are subject officers in internal affairs investigations or criminal investigations will not have a firearm in their possession during the formal investigation interview. [GO 223](#)
- O. Interview Rooms and Detention Area** - Officers and DBS II are prohibited from carrying firearms into the Detention Area. Firearms will **not** be carried in Interview Rooms occupied by suspects.

202.4 Off-Duty Firearms

A. Carry and Conceal Authority

1. Sworn officers, as defined in Florida State Statute 943.10, are permitted, as provided in Florida State Statute 790.052, to carry firearms concealed on or about their person.
2. Officers are authorized and encouraged to carry a firearm off duty or have one available. Firearms must be carried or secured as outlined in this directive.
3. While in the Field Training and Evaluation Training Program, an officer in training status is not permitted to carry a concealed firearm and may not carry a firearm while off-duty. The Chief of Police may grant exceptions. [GO 405](#)

B. Concealed - Off-duty firearms will be hidden from public view.

C. Police ID - Officers will have Agency issued police identification, which includes police badge, at all times when carrying firearms.

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- D. Carry Outside Florida** - When traveling outside Florida, officers are required to comply with the Law Enforcement Officers Safety Act of 2004 governing nationwide carrying of firearms by law enforcement personnel. [Law Enforcement Officers Safety Act](#)
- E. Flying Armed** - Officers may fly armed only if they have an immediate need to have a firearm on their persons and if they have authorization from the Chief of Police. Transporting prisoners or participating in a security detail which requires the officers to be armed immediately upon deplaning are acceptable reasons for flying armed on a commercial aircraft.
1. Officers must successfully complete the Law Enforcement Officers Flying Armed training program created by The Office of Law Enforcement/Federal Air Marshal Service prior to flying armed.
 2. A National Law Enforcement Telecommunications System (NLETS) message must be sent to the Transportation Security Administration (TSA) prior to travel.
 3. The TSA will send a return message containing a code which will be verified at the airport on the day of travel. Officers without the NLETS message containing the code will not be permitted to fly armed.
 4. Refer to the [Code of Federal Regulation \(CFR 1544.219\)](#) for detailed proper procedures.

202.5 Long Guns

- A. Authorized Long Gun** - The Agency-issued long gun will be the AR-15/M-16. SWAT members will carry a designated long gun as authorized by the Chief of Police.
- B. Personal Long Guns** - Personally owned long guns will be authorized only by the Chief and approved by the Firearms Training Unit. Only authorized ammunition will be carried or loaded in these firearms which must be qualified with annually. These firearms must also be inspected prior to carry along with any other firearms that are being carried [Firearms Inspection Form](#).
- C. Training** - Sworn personnel assigned to USD may be trained through an Agency-approved long gun (20 hour) course with either the AR-15/M-16 or authorized personally-owned long gun. Sworn personnel assigned to other

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divisions who elect to carry a long gun will also receive the (20 hour) course of training before being permitted to do so. The course may be shortened at the discretion of the Training Unit Supervisor. Officers must qualify annually with the long gun assigned to them.

- D. Sling Attachment** - All long guns will be equipped with an authorized sling as approved by the Firearms Training Unit.
- E. Maintenance** - The officer will be responsible for the cleanliness and maintenance checks of authorized long guns.
 - 1. Members must clean their firearms at a designated gun cleaning station at an Agency facility after qualification when on-duty time permits.
 - 2. When a member cleans their firearm, the member must visually inspect it for any obvious signs of damage, i.e., damaged barrel, broken spring, etc. If damage is found on the firearm, they must follow the procedures set forth in GO 202.8.
- F. Secure Long Guns** - Long guns will be secured in authorized long gun racks in the passenger compartment of the uniform patrol vehicle or secured in the trunk. Those officers authorized to carry long guns in unmarked vehicles will secure them in the trunk. If an unmarked vehicle is equipped with an approved long gun rack in the passenger compartment, any such long gun secured in this rack will not be left open to public view.
- G. No Round in Chamber** - No long guns will be stored in any vehicle with a round in the chamber.
- H. Modifications** - The only approved modifications to department issued rifles will be the addition of an approved sling, approved light source and a pre-approved optic that meets military or law enforcement specs **AND** is approved by the Training Section Lieutenant. **No personally owned long gun modification will be permitted without an approved [Equipment Authorization Form](#). Equipment authorization forms must be completed for all modifications and maintained in the member's training file. No modifications will be allowed that have not had the authorization form completed.** Officers who make modifications to their personally owned or agency firearms may be directed to remove any such modifications at any time and must be responsible for any and all costs required to remove those modifications and return the firearm to its original pre-modified state.

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1. Rifles must be equipped with a traditional, military or law enforcement specification sight system requiring alignment of a front and rear sight independent of any power source.
 2. Rifles equipped with an electronic optic or magnifying optics must have them installed so if the system fails, the traditional sights remain functional either by sight-through or by a hand-operated quick-release system.
 3. 3x magnifiers may be utilized in conjunction with a pre-approved optic. The magnifier must be mounted with a high quality, quick release or pivot/flip-to-side base allowing the use of the rear sight or optic only. The purpose of this system is to allow the operator to transition quickly from long range to close range distances.
- I. Re-qualification** - Any functional modifications to the long gun after approval by the Firearms Training Unit will require re-qualification in the Agency-approved long gun training and qualification course.
- J. Deployment** - Tactical deployment of long-guns during critical incidents. [GO 215](#)
1. If time permits for tactical preplanning, the supervisor-in-charge (SIC) or commander will assign responding officers to positions where long guns, handguns or hands-free are determined to be necessary.
 2. Long guns may be displayed by officers without supervisory approval when the officer reasonably believes, based on available information, that a subject is armed with a weapon. However, when time permits, the officer will notify the SIC by radio of the officer's decision to deploy the long gun.
 3. The officer will receive the SIC's approval for use of the long gun prior to disposing of an animal.

202.6 Firearms Qualification

- A. Annual Qualifications** - Each sworn member and DBS II will be instructed in the Agency Use of Force policy and qualify annually demonstrating proficiency in handling all firearms authorized for their use in daylight-conditions, pursuant to a State or Agency-approved program, as specified by the Firearms Training Unit.

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1. Firearms qualification and training will not be required of those members on light duty, injured or pregnant.
 2. However, if the member has not qualified within the annual training cycle, the member must qualify prior to returning to full duty status.
 3. For members who are on extended light duty/injured status who will not be able to qualify within the annual training cycle, that member must complete a memo to the training sergeant advising the reason why they are not able qualify.
 - a. The memo must be completed through the affected member's chain of command.
 - b. The memo needs not explain the medical condition; however, must advise that they are on light duty/injured status and are unable to complete the qualification.
 - c. A copy of this memo will be provided to the Accreditation Management Unit.
- B. Requirements** - If a sworn member or DBS II fails to qualify by either non-participation or non-proficiency on the initial attempt with their duty firearm; they will be required to successfully qualify prior to returning to full duty status. Sworn members and DBS II who fail to qualify with the duty firearm during the Agency qualification course will be assigned to the Firearms Training Unit for remediation and will not perform their regular assigned duties.
1. Failure to qualify with their primary duty firearm within annual qualification requirements will result in remediation not to exceed **16** hours.
 2. If remediation fails to produce qualification, sworn members and DBS II will be placed in an administrative capacity not to exceed 14 days, allowing for additional qualifying opportunities, (weather permitting).
 3. Action will be taken to decertify said officer and thus terminate his/her position as a police officer or DBS II with the City of Palm Bay only after continual attempts to qualify are unsuccessful.
- C. Enforcement Action Prohibited** - Officers placed in remediation for firearms qualification are not authorized to take any enforcement action or carry a firearm by agency authorization until successful completion of the program.

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1. Members who fail to qualify will also be suspended from the take home vehicle program until qualification has been completed.
 2. In these circumstances, the Training Unit Sergeant will complete a memo to the Chief of Police explaining the assignment to remediation via the training unit's chain of command.
- D. Types of Remediation** - The Firearms Training Unit Instructor will determine the remediation needs of the officer who fails to qualify.
- E. Off-Duty Firearm** - Sworn members who fail to qualify with a secondary firearm after remediation will **not** be authorized to carry a secondary firearm.
- F. Ammunition** - The Agency will supply ammunition for duty, department training and qualification with Agency and approved personally owned **on-duty** and/or off duty firearms. Approved ammunition is limited to .32, .380, 9mm, 38 special, .40, .45, .223, and .308 caliber. Use or carry of personally owned ammunition for an on-duty or off-duty firearm is prohibited unless inspected and prior approved by a Firearms Instructor and through the chain-of-command by the Chief of Police via an [Equipment Authorization Form](#).
- G. The Law Enforcement Safety Act of 2004 (aka HR 218)** - This legislation provides an exemption of qualified retired law enforcement officers from State law prohibiting the carry of concealed firearms.
- 1. Legislative Requirements for retiree:**
- a. Retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;
 - b. Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;
 - c. Before retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more; or retired from service with the agency, after completing any applicable probationary period of service, due to a service-connected disability, as determined by the agency;

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- d. Has a non-forfeitable right to benefits under the retirement plan of the agency;
- e. During the most recent 12-month period, has met, at the expense of the individual, the State's standards for training and qualification for active law enforcement officers to carry firearms (Although the legislature indicates that the individual is responsible for the expense of the training and qualification, the Agency will provide this service at no charge.);
- f. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- g. Is not prohibited by Federal law from receiving a firearm.

2. Qualification Standards

- a. The course will be administered by a CJSTC certified firearms instructor on either a CJSTC certified training school range or Agency range.
- b. Applicable Agency policies and safety standards will be followed.
- c. The Training & Recruiting Section will be responsible for maintaining documentation on qualification of retirees, including names of instructors conducting the evaluation.

3. Firearms Instructor responsibilities

- a. Ensure that the person requesting qualification certification possesses proof of retirement from a law enforcement agency.
- b. Administer firearms qualification course as prescribed above.
- c. Issue a CJSTC Firearms Proficiency Verification Card to the individual upon successful completion of the course of fire. The Retiree HR 218 Card Qualification Form must also be completed and signed by both the instructor and the retiree.
- d. Submit all documentation of evaluation and card issuance to the Training & Recruiting Section.

5. Retired Law Enforcement Officer Responsibilities

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- a. Abide by all requirements of the Law Enforcement Officer Safety Act of 2004.
- b. Provide a safe and functional firearm and ammunition. The term "firearm" does not include any machine gun, any firearm silencer, or destructive device.
- c. Produce a valid identification card verifying retired in good standing status issued by a law enforcement agency.
- d. Repair or replace any malfunctioning or unsafe firearm at his/her own expense. Arrange for inspection and qualification of repaired/replaced firearm prior to carrying.

202.7 Training Records - Firearm training records for each authorized member will be maintained in the Training Section. These records will include annual qualifications for each firearm the member is authorized to carry and remediation documentation if applicable.

202.8 Removal of Unsafe Firearms

- A. Officers who determine their firearm is unsafe or malfunctioning will notify both their immediate supervisor and an Agency Firearms Instructor, or armorer, as soon as possible to either replace or repair the duty firearm.
- B. Personally owned firearms must be repaired or replaced at the owner's expense. An Agency Firearms Instructor must inspect and approve the firearm after it has been repaired and prior to duty use.
- C. Agency issued firearms that are turned in for unsafe or malfunctioning reasons will be logged in a tracking system to ensure the firearm has been repaired, inspected and approved by the Agency armorer. The Weapons Tracking and Inventory System is located in the "Weapons Inventory" Folder posted on the Agency's "K drive/Training Folder."

202.9 Secure Storage Department Firearms

- A. All non-issued Agency firearms will be inventoried and secured unloaded in the Agency's armory.

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- B. All Agency issued or approved firearms will be the responsibility of the authorized member to ensure proper and safe storage at all times while on or off duty.

202.10 Documentation and Review- Refer to [GO 201](#)

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Less-lethal Munitions	Order No: 203	
Rescinds: GO 201 Use of Force, Response to Resistance Revised: 04/09/13	CFA 5th: 4.06	Revised Date: 04/28/15
Reference: GO 201		

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203.4	<u>Inspection</u>
203.5	<u>Annual Proficiency Training</u>

203 Policy

- A.** The Agency's policy regarding the use of force requires members to employ the amount of force reasonable to protect life and property or to make a lawful arrest. Members will utilize less-lethal munitions in accordance with the Use of Force General Order. [GO 201](#)
- B.** Authorization to carry and/or use less-lethal impact projectiles and/or munitions will be granted only to those sworn officers or DBS's who have successfully completed the Agency approved training course and issued and instructed in this General Order, to include all prescribed criteria for the carrying and/or use of less-lethal munitions.

203.1 Procedures

- A. General Requirements** - Agency issued less-lethal munitions are considered extended range impact devices and may be used according to the Force Guidelines [GO 201](#).
 - 1.** Once control or compliance has been achieved, the application of force must cease.

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2. Due care will be taken in deploying less-lethal impact projectiles and/or grenades so as not to intentionally strike the person(s) in the head, neck, spine, groin, kidneys or chest.
3. The 37/40mm launchers, projectiles and grenades will be maintained and utilized by SWAT exclusively.
4. The 12GA shotguns will be maintained by the Uniform Services Division to include SWAT.

B. Authority to Deploy - Less-lethal munitions delivered by the use of a 12GA shotgun, 37/40mm launcher or grenade may be deployed when/in:

1. The subject(s) sought are to be taken into custody, are believed to be armed with a deadly weapon, or pose an imminent threat to their own self, citizens or law enforcement, and refuse to comply.
2. High risk vehicle stops where the subject(s) sought are to be taken into custody and are believed to be armed with a deadly weapon or pose an imminent threat to themselves, citizens or law enforcement, and refuse to comply.
3. Riot control incidents where all the subjects, if practical, are to be taken into custody and are believed to be armed with a deadly weapon or pose an imminent threat to themselves, citizens or law enforcement, and refuse to comply. When practical, an announcement should be made prior to deployment of a grenade.
4. To move or restrict the movement of suspected dangerous animals where there is no intent to destroy the animal.
5. The delivery is authorized by the supervisor on the scene or exigent circumstances require immediate action.

C. Off Duty Use - Officers will not use less-lethal munitions outside the proper scope of their duties in enforcing the law while off-duty.

203.2 Documentation and Review - Subjects who are struck by less-lethal munitions will be transported to a medical facility via ambulance for examination. If possible, photograph. Refer to [GO 201](#).

203.3 Shotguns

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- A. Authorized shotguns** - The Agency issued shot gun will be the Remington 870 and the Smith and Wesson 3000. These firearms will be inspected prior to issue and carry.
- B. Personal shotguns** - Personally owned shotguns will be authorized only by the Chief and approved by the Firearms Training Unit. Only authorized ammunition will be carried or loaded in these firearms. These firearms must also be inspected prior to carry.

203.4 Inspection

- A. Issued Munitions** - Only less-lethal munitions issued by the Agency are authorized for use.
- B. Expiration Date** - Officers and DBS who are issued less-lethal munitions are responsible to ensure munitions in their possession are current (within expiration date). Members will return expired munitions and obtain current munitions prior to expiration.
- C. Line Inspections** - Immediate supervisors will, on a semi-annual schedule, inspect members who are issued less-lethal munitions.

203.5 Annual Training - All personnel authorized to carry and use less-lethal munitions will receive mandatory annual Agency approved training in their use and deployment. Sworn personnel assigned to the Uniform Services Division may be trained through an Agency approved Less Lethal training course with an Agency issued shotgun or a personally owned shotgun. Officers must qualify annually with the less-lethal shotgun assigned to them.

- A. Sling attachment** - All less lethal shotguns will be equipped with an authorized sling as approved by the Firearms Training Unit
- B. Maintenance** - The officer will be responsible for the cleanliness and maintenance checks of authorized less-lethal shotguns and follow the procedures set forth in GO202.5(E).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Taser	Order No: 204	
Rescinds: GO 204 Taser Revised: 05/05/15	CFA 5th: 4.06	Revised: 05/09/18
Reference: Taser International Training and Use Manual, GO 201, 405		

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204.4	<u>Equipment Issue, Maintenance and Inspection</u>

204 Policy - It is the policy of the Agency that authorized members act within the scope and guidelines of the current Use of Force policy [GO 201](#). This policy identifies the Agency approved electro-muscular disruption device as the Advanced Taser and its authorized use.

204.1 Authority

A. Approval - Authorization to carry and/or use the Advanced Taser will be granted only to those members who have successfully completed the Agency-approved training course and in accordance with Agency Training General Order [GO 405](#). Use and carry is limited to sworn officers and Desk Booking Specialists II authorized by the Chief of Police.

1. Training will include a written test on this directive and the Use of Force GO 201.
2. Members are required to receive annual refresher training in the Advanced Taser, Use of Force GO 201 and this directive.
3. Members who are issued the X-2 will require two additional hours of training prior to carrying the Taser.

B. Approved Models - Only Advanced Taser models X-2 and X-26 are approved by the Chief of Police and will be used or carried by members in performance of their official duties.

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204.2 Authorized Use

A. Reduce Injury Potential - Advanced Tasers are provided by the Agency to minimize the possibility of assaults and physical confrontations, thereby, decreasing the potential for injury to both the member and the suspect.

B. Physical Threat Deployment Guidelines

1. The deployment or discharge of the Advanced Taser is to ensure rapid and safe compliance with lawful directions or orders in response to resistance. The use of the Advanced Taser on persons who are only verbally loud or abusive is not permitted.
2. A decision by sworn officers and Desk Booking Specialists II to use a dart-firing stun gun must involve an arrest or a custodial situation during which the person who is the subject of the arrest or custody **ESCALATES RESISTANCE TO THE OFFICER** from **PASSIVE PHYSICAL** resistance to **ACTIVE PHYSICAL** resistance **AND** the person:
 - a. Has the apparent ability to physically threaten the officer or others;
 - OR
 - b. Is preparing or attempting to flee or escape.
3. A member using the Advanced Taser will make a reasonable assessment of the threat and the circumstances, taking into account officer/subject factors, and environmental factors surrounding the suspect.
4. A diligent effort to establish control by verbal commands will be used prior to the use of the Advanced Taser, when practical. Agency initial certification training and subsequent training will emphasize these skills.

C. Drive Stun - The use of the Advanced Taser without the cartridge attached, (no probes), is authorized to control a resisting subject if the circumstances are appropriate. An example of a "Drive Stun" situation may be where an officer is attempting to place a handcuffed prisoner in the transport vehicle and the prisoner refuses and gives active physical resistance to entering the vehicle and poses a threat to the officer(s) or others. Appropriate Hands Free Control techniques, as authorized in [GO 208](#), will be used before a Drive Stun whenever practical. Drive Stuns may also be used after the cartridge is expended and it is necessary for the officer to fend off an attack or bring a

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resisting subject under control. The Advance Taser is not as effective as a probe deployment when used in this manner.

- D. Suicide Situations** - The Advanced Taser may be considered as a method to minimize the potential for injury or death by a person threatening suicide.
- E. Threat of Animals** - Members may use the Advanced Taser to eliminate the threat of animals that pose the potential for injury to persons or property.
- F. Prohibited Uses** - The Advanced Taser will **not be used** during the following circumstances, unless exigent circumstances exist:
 1. Near flammable gases or liquids.
 2. As a sole means against a lethal threat, e.g. firearm or projectile weapon.
 3. Against a known or an apparently pregnant female.
 4. Where the potential exists for the subject to experience unnecessary injury from a fall: e.g. from a rooftop, top of stairwell, open body of water, or other obvious hazards likely to cause severe injury.
 5. The use of the Advanced Taser is not recommended on alligators or snakes.
 6. The use of the Advanced Taser is prohibited on small children and obviously very elderly persons **unless**, after a reasonable assessment of the situation, the member determines the use of the Taser would immediately save lives or prevent an imminent suicide attempt by a child or very elderly person.
- G. Personally Owned Tasers** - Authorized members may purchase at their own expense and carry a personally owned Advanced Taser after completing the Agency approved training. Members will complete the [Equipment Authorization Form](#) and have the device inspected by a certified Advanced Taser Instructor. The method and manner of carrying and using personally owned devices while in an official capacity will be the same as an Agency issued Taser.
 1. Authorized members include sworn members and Desk Booking Specialists II who have successfully passed and shown proficiency in the Advanced Taser. Desk Booking Specialists II are authorized in the carry or use of the Advanced Taser while on duty.

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2. The Advanced Taser cartridges purchased and issued by the Agency will be the only cartridge used.

204.3 Post-Deployment Procedure

A. Subject Care

1. If probes penetrate the skin, the on-scene supervisor will be notified and the probes removed as soon as the subject is secured. Prior to the removal, protective gloves will be worn and the location on the skin where the probes entered treated with Agency issued alcohol wipes or solution, if available. After the probes are removed, the Agency issued anti-bacterial ointment, if available, will be applied to the probes puncture area.
2. If probes penetrate the skin in the neck, face, breast area of females, or groin, Fire/Rescue will be notified. If needed, the subject will be transported to the hospital via ambulance for removal by emergency room personnel.

B. Disposal of Cartridge/Probes - The expended cartridge and probes will be collected and disposed of properly as a sharps object with bio-hazard considerations.

C. Documentation and Review - Refer to [GO 201](#)

204.4 Equipment Issue, Maintenance and Inspection

A. Usage Monitoring - The Training Section will download the recorded usage of all Advanced Tasers, including personally owned devices "as-needed" and determined by the Chief of Police or his designee. The Training Section will be responsible for records maintenance

B. Tampering Prohibited - Members are prohibited from tampering with the internal components, memory chip or opening the body of any Advanced Taser carried or used for official police duty.

C. Repair and Replacement - Any Advanced Taser used for official police duty, whether personally owned or Agency issued, that appears to not function properly or is damaged, will be immediately reported to the member's supervisor. Agency issued units will be turned into the Materials Management Unit for replacement. Advanced Tasers requiring repair will have the usage data downloaded by the Training Section prior to repair, if possible.

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- D. Batteries** - Only Agency approved and issued batteries that meet the manufacturer's requirements will be installed in the device. Batteries should be checked weekly and replaced as needed.
- E. Keep from Heat** - Advanced Tasers will not be exposed to prolonged or excessive heat, such as storing in the vehicle compartment or trunk during off-days.
- F. Periodic Tests and Inspections** - Members issued an Advanced Taser will test the device as instructed in the Agency-approved training at least once each week, prior to the start of shift on the first day returning to work by letting the Taser cycle for a full five seconds. Supervisors will inspect issued Advanced Tasers as part of quarterly inspections. Instructors will inspect Advanced Tasers at annual refresher training.
- G. Cartridges Issued** - The Materials Management Unit, (Supply), will be responsible for issuing the Advanced Taser and cartridges and maintaining records of the cartridge serial numbers issue. Only cartridge models 21 XP and 25 XP have been approved by the Chief of Police.
1. Members will not exchange or borrow cartridges, except in an emergency.
 2. The MMU Supervisor will be notified in writing whenever an Advanced Taser or cartridge has been transferred from one member to another.
 3. This will be completed and forwarded directly to the MMU prior to the end of duty.
- H. Spare Cartridges** - The Uniform Services Division field commanders (Sergeants and/or Lieutenants) will maintain a supply of additional cartridges and spare Advanced Tasers for replacement during tour of duty. These will be recorded and forwarded to the Materials Management Unit, (Supply), prior to the end of duty.
- I. Taser Carry Requirements**
1. All first responders, (Sergeants and officers), will carry an Advanced Taser in the Agency issued holster and on their person while on-duty in police uniform. Officers will have a short flashlight and/or expandable baton and authorized chemical agent canister (optional) on their utility belt.

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2. Members working special details, plainclothes or off-duty status, may carry the Advanced Taser in a concealed manner as approved by the Agency.
3. Lieutenants, administrative officers, and upper level command staff are not required to wear an Advanced Taser while wearing a police uniform.
4. Pre-planned enforcement activities will require the carry of the Advanced Taser by participating personnel who are authorized to use it.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Chemical Agents	Order No: 205	
Rescinds: Chemical Agents Revised: 05/31/17	CFA 5th: 4.06	Revised Date: 05/09/18
Reference: GO 201,405, FSS 870		

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205.2	<u>Carry and Use of Chemical Agents</u>
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205.4	<u>Documentation and Review</u>

205 Policy

It is the policy of authorized Agency members to act within the scope and guidelines of the Agency's Use of Force policy [**GO 201**](#). This policy will identify authorized implements of chemical agents and use by Agency members.

205.1 Authority

A. Training - No member is authorized to carry or utilize chemical agents without first being instructed in the Agency Use of Force policy [**GO 201**](#), and trained in chemical agents as provided in Agency Training General Order [**GO 405**](#).

1. Training will include a written test and demonstrated proficiency in the use of each chemical agent that the member is seeking approval to carry and use.
2. Sworn members and DBS are required to receive annual refresher training in chemical agents they are authorized to carry and use.

B. Carry and Use - Officers and DBS members will carry and use chemical agents in a careful and prudent manner in accordance with law and Agency procedures.

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- C. Protect Life** - Nothing in this policy will prohibit the use of a weapon of opportunity and/or unconventional technique as a last resort to protect a member's life, or the life of another.
- D. Off duty** - Authorized members will be allowed to carry or use chemical agents off duty after completion of required training.
- E. Authorized Brands** - Only Agency issued brands and concentrations will be authorized for use in an official capacity. Authorized personal carry brands and amounts are as follows:
 - 1. Aerko International 2 ounce Freeze +P 2K3 CS/OC.
 - 2. Freeze +P ½ ounce.

205.2 Carry and Use of Chemical Agents

- A. Approved Training** - Approval to carry and/or use the chemical agents will be granted only to those members who have successfully completed the Agency's approved training course, to include all prescribed criteria for the carrying and/or use of chemical agents. This will include each type and delivery method of chemical agents.
- B. Deployment** - Chemical agents may be used only in a lawful manner in accordance with Force Guidelines found in [GO 201](#). Members using chemical agents will exercise good judgment, discretion and proper application of established techniques. Authorized members who, in the scope of their duties, do not have the powers of arrest or detention will only use or display approved chemical agents in self-defense from an imminent physical attack.
- C. Availability** - Authorized members will have the Agency approved and issued chemical agent readily accessible while on duty. Chemical agents will not be carried in uniform, or plainclothes, pockets.
 - 1. Uniform officers below the rank of Lieutenant who elect to carry chemical agent will carry it on their duty belt.
 - 2. Non-uniform sworn officers who elect to carry chemical agent as a less-lethal option will carry an Agency approved chemical agent clipped to their trouser belts or in a carry bag when outside of their facility. The following are exempt from dress and carry requirements with the approval of a Division Commander:

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- a. Officers while working in an undercover capacity,
 - b. Or officers with the approval of a Division Commander.
- D. Detention Area** - Chemical agents will be permitted into the Agency's detention facility.
- E. Pyrotechnic Agents** - Chemical agents delivered by pyrotechnic grenades and projectiles should not be used inside structures or in areas where they may cause fires. Pyrotechnic grenades and projectiles may only be used by SWAT.
- F. Deployment** - The deployment of any chemical agent other than the authorized duty issued streamer unit will be permitted only with approval from the on-scene supervisor, unless exigent circumstances exist.
- G. Shotgun Deployment into Vehicles** - Agency approved and issued chemical agent munitions delivered by the use of a 12GA shotgun may be utilized by the Uniform Services Division and SWAT at high-risk vehicle stops where a subject is to be taken into custody and believed to be armed with a deadly weapon, or pose an imminent threat to themselves, citizens or law enforcement, and refuses to comply by exiting the vehicle after repeated verbal warnings have been given. This method of delivery is authorized in circumstances by the supervisor or commander involving a person whose actions toward the officer may cause injury or death.
- H. Shotgun Deployment Structures** - Agency approved chemical agent munitions delivered by the use of a 12GA shotgun, 37/40mm launcher, or a grenade may be utilized by the SWAT when the subject(s) sought to be taken into custody are barricaded and believed to be armed with a deadly weapon, or pose an imminent threat to themselves, citizens or law enforcement and refuse to comply.
 - 1. The delivery is authorized by the on-scene supervisor or when exigent circumstances require immediate action.
 - 2. Due care will be taken in deploying the chemical agent munitions so as not to strike any persons with the projectile or flying glass.
 - 3. The 37/40mm launchers and grenades will be maintained by SWAT.
 - 4. The 12GA shotguns and command packs will be maintained by Patrol.

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I. **Command Pack** - Uniform Services Division Commanders and Sergeants will be issued authorized Command Pack chemical agents and Deep Freeze.

1. Officers are authorized to utilize Command Pack chemical agents and Deep Freeze while in the lawful performance of their assigned duties.
2. The Command Pack chemical agents may be deployed at the supervisor's direction under the following circumstances if **all** prescribed criteria exist:

a. Barricaded subjects

- There is probable cause to take the subject into custody AND exigent circumstances exist, or execution of a search warrant.
- No firearm was used in the offense and there is no reason to believe that the subject will obtain a firearm.
- The subject is confined to a specific area.
- There are no hostages.
- **The officers on scene are properly equipped with gas masks and are prepared to make entry to effect the arrest.**

b. Vehicles

- There is probable cause to take the subject into custody.
- No firearm was used in the offense and there is no reason to believe that the subject will obtain a firearm.
- The vehicle is inoperable or blocked so that it cannot be driven.
- There are no hostages.

c. Civil Disturbances

- Authority to deploy chemical agents during a civil disturbance will be approved by the on-scene supervisor prior to the deployment of such chemical agents unless imminent danger exists to persons in the immediate area. When practical, an announcement per [FSS 870.04](#), will be made prior to deployment of a grenade.

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- Should the supervisor determine the tactical handling of the situation exceeds the capabilities of the uniform patrol officers, mutual aid will be requested, the Crisis Negotiations Team and/or SWAT may be called to respond.
- After the deployment of any chemical agent(s), proper first aid and decontamination procedure will be administered when the scene is secured.

J. Prohibited Use - Use of chemical agents inside a medical care facility, (hospital, nursing home, hospice facility), is prohibited due to contamination of the ventilation system and a danger to patients.

K. Inspections - Members authorized to carry chemical agents will ensure that expiration dates have not expired and the weapon functions properly. Supervisors will include inspections of chemical agents as part of semi-annual inspections.

205.3 After-Care for Chemical Agents

A. Suspect Reaction - If circumstances allow, give the person sprayed 30 to 60 seconds to react to the spray and overcome gagging and coughing.

B. Verbal Instructions - Tell the suspect that she or he is okay and will stop gagging soon.

C. Fresh Air - Expose the prisoner to fresh air and ventilation.

D. Rinse with Water - When circumstances permit, allow the prisoner to rinse the affected areas with water.

E. Medical Attention - Members should seek medical attention by requesting Palm Bay Fire Rescue for the prisoner when:

1. Gagging or breathing difficulties persist beyond an initial period.
2. The prisoner loses consciousness, sweats profusely, appears very sick or is overcome by chemical agent.
3. Still significantly suffers from the effects of pepper spray more than 45 minutes after contamination.
4. If transport to a medical facility is necessary, an ambulance will be summoned.

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Subject: Chemical Agents	General Order: 205
205.4 Documentation and Review - Refer to GO 201	

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Expandable Baton	Order No: 206	
Rescinds: GO201 Use of Force, Response to Resistance Revision: 06/16/10	CFA 5th: 4.06	Revised Date: 7/9/15
Reference: GO 201, GO 223, GO 405		

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206.	<u>Policy</u>
206.1	<u>Authority</u>
206.2	<u>Authorized Use</u>
206.3	<u>Post Deployment Procedure</u>

206 Policy

The Agency authorizes members to act within the scope and guidelines of the Agency's Use of Force Policy [GO 201](#). This policy identifies the authorized expandable baton and its use.

206.1 Authority

A. Approved Carry - Authorization to carry and/or use the expandable baton will be granted only to those members who have successfully completed the Agency approved training course in accordance with Agency Training General Order [GO 405](#). Use and carry is limited to sworn officers and Desk Booking Specialists authorized by the Chief of Police.

1. Training will include instruction in the Use of Force GO 201, this directive and demonstrated proficiency in the use of the expandable baton.
2. Members are required to receive annual refresher training in Use of Force GO 201, this directive and use of the expandable baton.

B. Approved Type - Only those expandable baton models approved by the Chief of Police and issued by the Agency will be used or carried by members in the performance of their official duties.

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Subject: Expandable Baton	General Order: 206

1. Agency issued expandable batons are:
 - a. 21" ASP Steel Baton w/foam grip
 - b. 26" Monadhock Auto lock chrome with super grip
2. Authorized members who choose to carry their personally owned expandable baton may do so after requesting permission/approval by submitting an [Equipment Authorization Form](#) to the Training Section. The Agency Lead Defensive Tactics instructor will inspect the expandable baton before approval. Personally owned expandable batons will not exceed the length of Agency issued types.

206.2 Authorized Use

- A. Impact Weapon** - The expandable baton is issued by the Agency to be used as an impact weapon primarily used to control a subject. It is considered a non-deadly force weapon but may be used in deadly-force situations if necessary.
- B. Guidelines** - The expandable baton will be used in accordance with State and Federal laws, the Agency's Use of Force directive (GO201) and current training guidelines.
- C. Availability** - Sworn officers and Desk Booking Specialists will carry either the expandable baton and/or the short flashlight as an impact weapon on their duty belt.
- D. Non-Uniform/Off-Duty** - Sworn non-uniform personnel or off-duty sworn personnel who choose to carry the expandable baton should carry the baton concealed from public view or prominently display their police badge or authorized shirt/jacket marked "Police".
 1. Sworn officers are authorized and encouraged to carry the expandable baton off duty, or to have one readily available.
 2. Sworn officers are required to carry proper police identification at all times when carrying the expandable baton, on or off duty.
- E. No Alterations** - Alterations to the expandable baton are not allowed with the exception of the employee painting or engraving his ID number on the butt cap of the baton.

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F. Carry in Detention Area - Officers and Desk Booking Specialists are permitted to carry their approved expandable batons in the Agency's detention facility. When at another agency's facility, the officer will comply with that agency's rules and regulations.

G. Inspections - Members authorized to carry chemical agents will ensure that expiration dates have not expired and the weapon functions properly. Supervisors will include inspections of the expandable baton as part of semi-annual inspections.

206.3 Post Deployment Procedure

A. Subject

1. If there are apparent signs of injury or complaint of injury, the on-duty supervisor will be notified. The supervisor will ensure photographs are taken of the injuries.
2. Palm Bay Fire Rescue will be immediately called or the subject will be immediately transported to a medical facility for examination and treatment.

B. Documentation and Review - Refer to [GO 201](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Flashlight	Order No: 207	
Rescinds: GO207 Revised: 12/31/09	CFA 5th:	Revised Date: 05/04/15
Reference: GO 201, 206, 223, 405		

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207.1	<u>Authority</u>
207.2	<u>Authorized Use</u>
207.3	<u>Post Deployment Procedure</u>

207 Policy

The Agency authorizes members to act within the scope and guidelines of the Agency Use of Force policy [**GO 201**](#). This policy identifies the Agency issued flashlight as an impact weapon and its authorized use as an implement of force.

207.1 Authority

A. Approved Use - Authorization to use the short flashlight and long flashlight as impact weapons will be granted only to those members who have successfully completed the Agency approved training course and in accordance with Agency Training General Order [**GO 405**](#). Use as implements of force is limited to sworn officers and Desk Booking Specialists authorized by the Chief of Police.

1. Training will include instruction in Use of Force GO 201, this directive, and demonstrated proficiency in the use of the short flashlight and/or long flashlight as impact weapons.
2. Members are required to receive annual refresher training in the use of the short flashlight and/or long flashlight as impact weapons.

B. Approved Type - Only those short flashlight and long flashlight models approved by the Chief of Police and issued by the Agency will be used or

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carried by members in performance of their official duties. Approved types are:

1. Streamlight Stinger
 2. Streamlight SL-20
- C. Authorized members who choose to carry their personally owned short or long flashlight may do so after requesting permission/approval by submitting an [Equipment Authorization Form](#) to the Training Section.
- D. The Agency Lead Defensive Tactics instructor will inspect the flashlight before approval.
- E. Personally owned flashlights will not exceed the length of issued Agency flashlights.

207.2 Authorized Use

- A. **Short Flashlight** - The short flashlight is provided by the Agency as a convenient, accessible light source to be carried on the duty belt. It may also be used as an impact weapon.
- B. **Long Flashlight** - The Agency-issued long flashlight is provided by the Agency as a convenient, accessible light source which may be carried on the duty belt. It will be used in accordance with policy and techniques provided regarding the use of the expandable baton. See Expandable Baton [GO 206](#).
- C. **Expandable Baton Striking Techniques** - Whenever an officer or DBS is forced to use the short or long flashlight as an impact weapon, the flashlight will be used in the same manner as the expandable baton is used in the closed or open mode. The officer or DBS will use the flashlight in accordance with the same State and Federal laws, the Agency's Use of Force directive (GO201), and the current training guidelines that pertain to the expandable baton. Strikes to the neck, head and face will be avoided unless the officer is responding to a sudden deadly force attack, or is about to be overpowered, or an officer is in danger of losing his firearm. These strikes should be avoided due to extreme soft tissue bleeding and bruising, unless absolutely necessary.
1. Whenever an officer or DBS has the availability and opportunity to draw the Advanced Taser, chemical agent or the expandable baton. These implements should be used before the flashlight.

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207.3 Post Deployment Procedure

A. Subject

1. If there are apparent signs of injury or complaint of injury, the on-duty supervisor will be notified. The supervisor will ensure photographs are taken of the injuries.
2. Palm Bay Fire Rescue will be immediately called or the subject will be immediately transported to a medical facility for examination and treatment.

B. Documentation and Review - Refer to [GO 201](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Hands Free Control	Order No: 208	
Rescinds: GO 208 Revised: 05/04/15	CFA 5th:	Revised Date: 05/07/18
Reference: GO 201,405		

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208.3	<u>Unauthorized Techniques</u>
208.4	<u>Documentation and Review</u>

208 Policy

The Agency authorizes members to act within the scope and guidelines of the Use of Force policy [GO 201](#). This policy identifies authorized hands free control techniques.

208.1 Authority

A. Approved Training - Authorization to use specific hands free control techniques will be granted to First Responders and Desk Booking Officers who have successfully completed the Agency approved training course in accordance with Training General Order [GO 405](#).

1. Training will include instruction in the Use of Force GO 201, this directive, and demonstrated proficiency in the use of hands free control techniques.
2. First Responders and Desk Booking Officers are required to receive annual refresher training in hands free control techniques.

208.2 Authorized Use

A. Primarily Non-Deadly - Hands free control techniques are considered non-deadly force but may be used in deadly-force situations, if necessary.

B. Type of Control/ Level of Force

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1. **Pressure Points** - Pressure points are pain compliance techniques that force a subject to comply with an officer as a result of the officer inflicting controlled pain upon specific points on the subject's body. Pressure points include the following locations on a body:
 - a. Hollow behind the ear
 - b. Base of the throat
 - c. Hollow behind the collarbone
 - d. Under the jaw line
 - e. Side of the neck

2. **Nerve Motor Points** - Nerve motor points are striking areas that cause temporary nerve motor dysfunction. Approved locations on a body include the following:
 - a. Shoulder pocket
 - b. Inside of forearm
 - c. Inside of thigh
 - d. Top of calf
 - e. Top of forearm
 - f. Outside of thigh
 - g. Bottom of shin
 - h. Top of shoulder

3. **Countermoves** - Are considered a response to a subject's resistance. Countermoves are techniques that impede a subject's movements toward an officer or others, such as: blocking, striking, distractions, kicking, parrying, dodging, weaving, redirecting or avoiding, followed by appropriate controlling techniques. These techniques include escape maneuvers and ground defenses.

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4. Strikes - Some strikes may be used as distraction techniques. Distraction is a technique that interrupts the subject's concentration so that energy is redirected from the current focus. Distraction techniques can be used to gain space when you are held in a close-quarter body hold and can assist in applying other defensive tactics such as takedowns and transporters. Approved strikes include but are not limited to the following approved techniques:

- a. Palm heel
- b. Vertical punch
- c. Angle kick
- d. Hammer fist
- e. Front kick
- f. Knee spike
- g. Forearm strike
- h. Punches
- i. Elbow strike
- j. Backfist strike
- k. Back kick
- l. Side kick
- m. Head butt
- n. Foot stomp
- o. Shin scrape
- p. Knuckle strike

*Note - Any strike can be use in certain situations as a distraction.

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5. Blocks - Blocks are designed to thwart a subject's aggressive action. Although many blocks are instinctive to subject actions, the Agency also approves the S.P.E.A.R. block.

a. SPEAR Block - The S.P.E.A.R. Block is a defensive center mass - diagonal across the chest - block.

- Position your forearms just outside 90 degrees (referred to as the 90-degree rule).
- Open hand versus closed hand. The open hand is stronger than the closed hand because of the extensor muscles being stronger than retractor muscles (extension versus constricting).
- Head position - lowering the head allows your axis to be in a forward position. This position also helps protect your head because of the positioning of the arms.
- Cross Check Theory - the striking surface for the officer is the area between the ulna (wrist) and the elbow allowing for a larger striking surface. The force administered should be equal when using both forearms (full SPEAR). The lead arm should be positioned at eye level with the backhand near the face.
- Safety and Ideal Point of Contact - Center mass diagonal across sternum and pectorals. Keep in mind closest weapon, closest target (CWCT).

6. Transporters - Transporters are techniques used to control and/or move a subject from one location to another with minimum effort by the officer in order to gain and retain control over the subject. Approved transporter techniques include the following:

- a.** Escort (Straight-arm resistance)
- b.** Elbow up
- c.** Shoulder lock
- d.** Bent wrist
- e.** Hammerlock

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f. Horn come-along hold

g. Z-arm control hold

7. Escape Techniques - The Agency trains officers in techniques to escape/disengage a subject who has applied commonly used restraint mechanisms. Some restraint mechanisms commonly applied on officers by subjects include:

a. Extended Rear Choke

b. Rear Body Hold (under arms, over arms)

c. Front Body Hold (under arms, over arms)

d. Football Tackle

e. Head Lock

8. Takedowns - Takedowns are techniques that redirect a subject to the ground, in a controlled manner, in order to limit a subject's physical resistance and to facilitate the application of restraint devices. Approved takedowns include the following:

a. Escort

a. Elbow up

b. Bent wrist

c. Inside wrist

d. Outside wrist

e. Two hands on one wrist lock.

9. Ground Defense - Ground defenses are used to escape or stall a subject's aggressive behavior if they succeed in getting officers off their feet and on the ground. Countermoves, if this happens, include but are not limited to the following:

a. Wiggle defense

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- b. Side rotation
- c. High mounted rest
- d. Side headlock escape
- e. Paint brush

10. Weapon Defense - Weapon defense involves officer responses to a subject attempting to take the officer's weapon or a subject is armed with a handgun, edged weapon or other improvised weapon. Techniques used include, **but are not limited** to the following:

- a. **Evade, cover, and escalate** - Officer evades the attack, seeks a barrier between attacker and himself, or if no barrier between he and attacker, utilizes front kicks or hand/arm blocks to disrupt the attacker. Officer escalates to deadly force options (firearm).
- b. **Hand gun assault (front and rear)** - Officer, when assaulted with a handgun, executes hands free handgun extraction technique.
- c. **Edged weapon assault (slash, downward thrust, center mass thrust)** - Officer steps off the line of the attack, grabs attacker's upper wrist/lower forearm area of the hand holding edged weapon, and executes arm bar or wrist lock disabling technique.

208.3 Unauthorized Techniques - Prohibited Lateral Vascular Neck Restraint and Choke Holds - Neck restraints of any type **are not** department approved **unless** the officer is in a deadly force situation and the officer deems it necessary to use a neck restraint to defend himself, or another officer or person, from an imminent, life threatening situation and no other technique or weapon is available to the officer.

208.4 Documentation and Review - Refer to [GO 201](#)

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Restraint Devices	Order No: 209	
Rescinds: GO209 Restraint Devices Revised 03/17/15	CFA 5th: 21.04	Revised Date: 05/09/18
Reference: GO 201, 405		

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209	<u>Policy</u>
209.1	<u>Authority</u>
209.2	<u>Types of Restraint Devices</u>
209.3	<u>Use of Restraint Devices</u>

209 Policy

It is the policy of the Agency to act within the scope and guidelines of case law and the Agency's Use of Force policy [GO 201](#) with regard to restraint devices. Officers will only use restraint devices to the extent they are necessary to accomplish lawful objectives.

209.1 Authority

A. Training Mandatory - Authorization to carry and/or use restraint devices will be granted only to those members who have successfully completed the Agency approved training in accordance with Agency Training General Order **GO 405**. Use and carry of restraint devices is limited to sworn officers and Desk Booking Specialists authorized by the Chief of Police.

1. Training will include instruction in Use of Force; Arrests, Stops and Frisks [GO 210](#), this directive and demonstrated proficiency in the use of restraint devices.
2. Members are required to receive annual refresher training in restraint devices.
3. Squad level training shall be conducted at least quarterly.

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B. Approved Devices - Only those restraint devices approved by the Chief of Police will be used or carried by members in the performance of their official duties. Those approved are:

1. Smith and Wesson model 800 and 300 hinged handcuffs.
2. Peerless brand hinged handcuffs.
3. Smith and Wesson leg cuffs model 1900.
4. Nylon double braid dock line ½ "wide by 15' long. (T.A.R.P. Procedure)
5. Red Man Gear Head Protector. (T.A.R.P. Procedure)
6. Monadnock Flex Cuffs.

C. Personal Handcuffs - Authorized members who choose to carry their personally owned handcuffs may do so after requesting permission/approval by submitting an [Equipment Authorization Form](#) to the Training Section. The Agency Lead Defensive Tactics instructor will inspect the handcuffs before approval.

209.2 Types of Restraint Devices

A. Handcuffs - Approved handcuffs are issued to members who have successfully completed and shown proficiency in their use. Handcuffs are equipped with double lock mechanisms which prevent undesired further constriction around a subject's wrist.

B. Shackles - Shackles or leg irons are similar to handcuffs but are larger equipped with a chain, which allows for placement on the ankles and restrained movement (walking) of the subject. Shackles are also equipped with a double lock feature.

C. Tactical Appendage Restraint Packaging (TARP) - The TARP procedure can be used to secure violent prisoners or violent mentally ill persons from hurting themselves or damaging the transport vehicle. The procedure incorporates the use of handcuffs, shackles, headgear and rope to effectively immobilize violent people while being transported. TARP of a prisoner must be approved by a field supervisor and must be documented with a Response to Resistance Report.

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D. Flex Cuffs - Flex cuffs are lockable plastic strips for use in mass arrest or detention circumstances where the availability of standard issue metal handcuffs are not available or feasible.

209.3 Use of Restraint Devices

A. Use of Force

1. Officers will only use reasonable force to arrest, detain and transport persons taken into custody
2. All persons in custody will be restrained when transported. The type of restraints will be determined by the type of transport and the prisoner profile.
3. Restraints will be applied so as not to cause injury or restrict circulation.
4. All restraints equipped with double locks will be double locked as soon as practicable.
5. Leg irons may be used on high-risk prisoner transports and when the officer transports prisoner for medical treatment. Leg irons shall be used when transferring a prisoner to or from the interview room. The officer shall use the installed eyebolt in the interview room to further secure the prisoner.
6. Absent exigent circumstances, restraints will not be removed until the prisoner has reached the final destination.
7. Flex cuffs may be used when necessary and normal cuffs are NOT available.
8. All prisoners will be handcuffed behind the back except when the subject is physically unable or it causes intolerable pain. Factors to consider include:
 - a. Age of the subject to be handcuffed.
 - b. Infirmities or injuries.

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- c. When transporting handicapped, ill, mentally disturbed or injured persons, the transporting officers will use restraints appropriate to the situation, taking into consideration:
 - The risk presented to himself, the public and the prisoner.
 - The charges against the prisoner and criminal history.
 - Past and present behavior.
 - Special attention will be given to persons who are non-ambulatory, or those requiring wheelchairs, crutches or prosthetic appliances and those requiring medication.

B. Handcuffs

1. Handcuffs will be used at all times when officers or DBS are transporting arrested persons from the scene of the arrest to the Agency, or from the Agency to any other detention location unless it is impractical to do so.
 - a. All uniformed first responders and Desk Booking Officers will wear up to two sets of handcuffs in an Agency approved carry case on their duty belt.
 - b. Non-uniform officers will wear one set of handcuffs on their trouser belt in an Agency approved carry case, or in a carry bag, while on duty.
 - c. **ALL** authorized members will carry at least one handcuff key.
2. Handcuffs will be double-locked with the prisoner's hands behind his back. If some physical impairment prevents handcuffing the prisoner behind their back, they will be handcuffed as the officer deems appropriate.
3. Exception for handcuffing prisoner's in front:
 - a. If exigent circumstances exist, an officer must receive supervisory approval, if possible, prior to handcuffing a prisoner with handcuffs in front.

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- b. Officers and Desk Booking Specialists using the prisoner transport vans may apply handcuffs in front of a prisoner with the following requirements:
 - Another officer must be present.
 - Must also apply leg restraints.
 - Handcuffs and leg restraints must be double locked and attached together with a tether or chain.
 - The prisoner must be secured to an I-bolt in the transport van as soon as possible.
4. Officers will maintain physical control over prisoners.
5. Additional restraints may be used as required.
6. When a prisoner has attempted to slip handcuffs/defeat restraints they will be transported alone so their actions can be monitored without the distraction of additional suspects.
7. In the event that a suspect has defeated/attempted to defeat restraint devices:
 - a. It will be mandatory that an officer shall apply an alternate set of restraints (ankle chains, smaller handcuffs if applicable, etc.)
 - b. The officer will communicate the incident with other officers on scene so they are aware of the risk.
 - c. The officer will notify their supervisor without delay
8. As soon as reasonably possible, suspects handcuffed in the prone position will be moved off of his/her stomach. Unless circumstances dictate otherwise, prisoners will not be transported face down in a vehicle.

PALM BAY POLICE DEPARTMENT GENERAL ORDER

Subject: Arrests, Stops, & Frisk		Order No: 210	
Rescinds: GO210 Revised: 05/07/15		CFA 5th: 2.02, 21.02, 21.07, 22.08	Revised: 11/02/17
Reference: FSS 166.0493, 394.462, 901.151, 901.16, 901.17, 901.21, 901.211, 901.215, 943.1758. Florida Legal Guidelines. California v. Hodari, Webb v. State, Florida v. Bostick, Terry v. Ohio, Miranda v. Arizona, McNeil v. State, US v. Wren, US v. Morales-Zamora, Ohio v. Robinette, Maryland v. Wilson, Illinois v. Wardlow, Michigan v. Long, Minnesota v. Dickerson, Florida v. J.L. GO 209, 211, 212, 226, 508.			

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210 Policy

- A.** The Agency requires officers to pursue criminal conduct while protecting individual rights. Officers are responsible to remain informed of laws, criminal procedure, and case law that affect arrests, stops, frisks, searches and seizures.
- B.** It is the policy of this Agency to hold its members individually responsible for the protection of the Constitutional Rights of all people who they may meet in their official duties, and to stop or report immediately, observed violations of Constitutional Rights to the appropriate supervisor or command staff member.
- C.** Bias Based profiling is prohibited as defined in [GO 226](#).

210.1 Definitions

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Subject: Arrests, Stops & Frisks	General Order: 210

- A. Arrest** - An arrest deprives a person of their liberty by legal authority. An arrest takes persons, for the purpose of holding or detaining them, to answer a criminal charge or civil demand under real or assumed authority. An arrest occurs at the moment the person submits to a show of authority or is physically restrained. [California V. Hodari](#)

- B. Notice to Appear** - An arrest in which the arrestee has been released on his promise to appear in court on an assigned date.

- C. Probable Cause** - Facts and circumstances that cause a reasonably prudent officer to believe, based on his or her training, education and experience, that all of the elements of the crime have been or are being committed, and the person being arrested has committed that crime.

- D. Reasonable Suspicion** - Facts and circumstances that cause an officer to believe based on his or her particular training, education and experience, that a person appears to be involved in criminal activity. This can be in the form of suspicious behavior observed by or reported to the officer that the suspect matches the description as a reported criminal, or the suspect is in possession of an object or vehicle connected with criminal activity. The courts often call this "well-founded and articulable suspicion," "founded suspicion," and "reasonable suspicion," interchangeably.

- E. Casual Encounter** - An unenforceable casual contact with a person by police under circumstances that would cause a reasonable person to feel as if they were free to leave.

- F. Frisk** - A frisk is a pat down of a person's outer clothing for the sole purpose of discovering dangerous weapons. An officer must have a "probable cause belief" that the person to be frisked or patted down is concealing a dangerous weapon. [FSS 901.155\(5\)](#) Florida case law has interpreted the phrase "**probable cause to believe**" in the frisk statute to be a level of proof not as strong as probable cause to arrest or search, but more similar to reasonable suspicion.

- G. Stop** - A stop (to include traffic stops), occurs when an officer uses his expressed or implied authority to temporarily detain a person based upon a reasonable suspicion that the person has committed, is committing, or is about to commit a crime. A stop also includes the use of the police vehicle emergency lights, (red/blue lights). Stops are limited and temporary in that the suspect normally cannot be moved from the scene. A stop is a more intrusive police action than a contact where the person is not free to leave. The officer's action is based upon reasonable suspicion of criminal activity but less than an arrest

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based on probable cause. A stop occurs at the moment the person submits to a show of authority or the officer achieves physical restraint over the suspect. (See Gould Book)

210.2 Casual Contact / Encounters - An officer need not have reasonable suspicion or probable cause when the encounter with a citizen is consensual. [Florida V. Bostick, 501 U.S. 429 \(1991\)](#)

- A. Contact Defined** - A contact entails a face-to-face meeting between a citizen and officer in which the officer does not use his authority, expressed or implied, or physical force, to restrict the person's freedom of movement.
- B. No Justification Required** - An officer may contact any person for any reason. A contact does not require reasonable suspicion for its justification.
- C. Contact v. Stop** - When the circumstances and actions of a citizen become such that a reasonable person would believe they are not free to leave, the casual contact becomes a stop. A stop is determined from the perspective of the person stopped, based on the police action during the encounter.
- D. Refusal** - A person's refusal to participate in a casual contact/encounter, in itself does not create reasonable suspicion to order the person to submit to a stop.

210.3 Courtesy Services

- A. Courtesy Services** - When an officer offers to provide a courtesy service that involves the transportation of a person in a police vehicle, the officer will first get verbal approval from his/her supervisor. The officer will perform a "frisk" of that person's outer clothing and possessions. This should only be done with that person's consent to "frisk". If that person refuses consent, the officer will not provide the courtesy service.
- B.** If the service is provided, the officer will request a call for service (CFS), from the Communications Center and provide the following information:
 - 1. Identity of the person.
 - 2. Location of contact.
 - 3. Expected destination, address or location.
 - 4. Starting and ending mileage of transport vehicle.

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210.4 Stop and Frisk - An officer may briefly detain an individual for further investigation where the officer has **reasonable suspicion** to believe the person stopped is involved in criminal activity. [901.151 FSS](#) [Terry v. Ohio, 392 U.S. 1 \(1968\)](#)

A. Procedure - Prior to approaching a suspicious person, an officer will first notify the Communications Center of the intended action, the location and description of the subject. A Call for Service, (CFS), should be opened when making a stop.

1. The stop and frisk statute applies to persons in conveyances as well as those on foot.
2. Officers will have at least the standard of proof referred to as reasonable suspicion, (also known as well-founded and articulable suspicion or founded suspicion).
3. Officers will keep themselves well versed on current case law defining actions and circumstances that are legal factors to consider in establishing reasonable suspicion. Annually, officers will review Section 9 of the Florida Legal Guidelines in Gould's Criminal Law and Motor Vehicle Handbook.
4. An officer may temporarily detain a person for the purpose of determining the person's identity and to investigate the circumstances which led the officer to believe the person had committed, was committing, or was about to commit a crime.
5. More specifically, an officer may use his authority to stop to include:
 - a. To identify a person who is the suspect of a crime.
 - b. To request an explanation of the person's actions.
 - c. To establish probable cause to arrest through questioning or gathering of evidence. An officer is normally not required to give the Miranda warnings during stops, but it is necessary to give Miranda warnings if a custodial interrogation is performed. It is also required that Miranda rights be given in cases where a loitering and prowling charge may apply prior to requesting an explanation for a suspect's suspicious behavior. [Miranda V. Arizona](#)
 - d. To gather information that may create probable cause.

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- e. To determine if a crime has been committed to which the officer can link the person's suspicious activity.
 - f. To prevent the commission of a crime.
 - g. To resolve suspicions about the person.
 - h. To check persons matching a detailed, specific description of a criminal suspect.
6. Officers will not make random stops for identification. A stop must be based on reasonable suspicion of criminal activity.
 7. If not in uniform, an officer conducting a stop will identify himself by presenting a badge and Agency ID card as soon as practical and safe to do so.
 8. An officer conducting a stop will use the minimum force necessary to detain the person. The officer will first use a verbal order when possible and then progress to the use of the proper defensive tactics, only as reasonable, to prevent the person from leaving. Deadly force is not permitted to enforce a stop unless the suspect presents deadly force.
 9. An officer will detain a person only the minimum amount of time needed to conduct the interview and check the person's actions.
 10. Recent case law recognized that all passengers are "seized" from the moment a vehicle is stopped by police, thus during a traffic stop, passengers are not free to terminate their encounter with police and cannot leave the scene of a traffic stop. [Arizona v. Johnson](#) An officer conducting a stop of a motor vehicle may order all occupants out of the vehicle, have them stay in the vehicle or otherwise control them to maintain a level of officer safety. However, officers are advised that other factors such as handcuffs, detention in a police vehicle and a lengthy stop could result in an "arrest" which may ultimately be found to have occurred without probable cause.
 11. The authority to make a stop does not automatically carry with it the authority to frisk or pat-down the suspect. There must be specific, articulable facts that independently justify this further intrusion into the suspect's privacy.

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12. Pre-textual stops or "profiling" based on any factor that would be discriminatory such as race, sex, ethnicity, national origin, etc., is prohibited (US v. Whren). Officers who use traffic-offense based stops with the ulterior motive to investigate unrelated criminal behavior will limit the time of the stop to that required to conduct the traffic enforcement activity, unless independent reasonable suspicion is developed. [\(US v Morales-Zamora\)](#) Officers should not engage in excessive questioning of matters unrelated to the stop. Officers may consider requesting consent to search persons or vehicles. Although not required by case law (Ohio v. Robinette), such requests are best made after the traffic stop is completed and the driver is advised he or she is free to leave. [US v Whren](#), [Ohio v Robinette](#)

13. Officers are legally permitted to require all persons to exit a motor vehicle during a traffic stop without any additional justification (Maryland v. Wilson 1999). However, this procedure should only be used when conducting canine sniffs and where investigative or officer safety issues require it. [Maryland v. Wilson](#)

14. Flight by a person upon the arrival or appearance of the police, by itself, is not enough to establish reasonable suspicion. However, based on recent case law, (Illinois v. Wardlow 2000), it is a strong factor combined with other relevant factors. [Illionis v. Wardlow 528 US 119 \(2000\)](#)

B. Frisk of Person - An officer may conduct a "frisk" of any person during a valid stop only if the officer has an articulable reason to fear for his/her safety or the safety of any citizen. The following are some of the common factors the courts recognize as valid in determining whether to frisk:

1. **Person's appearance** - The person's clothing bulges in a manner suggesting the presence of an object capable of inflicting injury.
2. **Person's actions** - The person made a furtive movement as if to hide a weapon as the officer approached. The person's words or actions are threatening.
3. **Prior knowledge** - The officer knows the person has a reputation for being armed or committing assaults on police officers.
4. **Location** - The area known for criminal activity. The officer is unlikely to receive immediate assistance if attacked.
5. **Time of day** - The contact is at night.

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6. Reason for contact - The officer's reason for contact involves a serious or violent offense.

7. Companions - There are numerous suspects and one suspect has been found to possess a weapon.

C. Frisks of Vehicles - If an officer has a probable cause to believe there are readily accessible weapons concealed within the vehicle; the officer may perform a frisk of the vehicle. The officer may not search a locked or inaccessible area of the automobile, but may check for weapons and seize contraband found in plain view. [Michigan v. Long](#)

D. Seizure of Items Found

1. If, when conducting a frisk, an officer feels an object that is reasonably believed to be a weapon or dangerous instrument the officer may remove the object.

2. Separate possessions such as purses, brief cases or shopping bags should be taken from the person and secured in a location that is out of the reach of the person during the duration of the stop.

3. While conducting a frisk, if an item of contraband is "readily apparent" through the sense of touch, without groping or manipulation by the officer, it may be seized. [Minnesota v. Dickerson 1993](#)

E. Anonymous Tip - An anonymous tip that fails to predict future conduct of the suspect being informed on is insufficient to establish the requisite reasonable suspicion to support a valid frisk. [Florida v JL 529 US 266 \(2000\)](#)

210.5 Field Interviews

A. Documented Contacts - All official contacts and/or stops will be documented by completing a Call for Service in C.A.D., or with a written report. These methods of documentation provide a record of the person's location, description, date and time of contact, and reason for the interview.

B. Field Interviews - Are more than a casual encounter, although a casual encounter may develop into a field interview. Field interviews are based upon reasonable suspicion.

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1. Since many field inquiries result in an arrest, the field contact location must be selected with officer safety in mind. Consideration should be made for the following factors.
 - a. Avenue of approach.
 - b. Officer escape routes.
 - c. Suspect(s) escape routes.
 - d. Lighting present.
 - e. Safety of bystanders and other officers.
2. Before contact, the officer should have a plan of action, escape route, and be cognizant of safety concerns.
3. The time allowed for the interview is directly related to the scope of the contact. A time limit of 20 to 30 minutes is generally reasonable unless circumstances exist which would justify an extension of that time.
4. The information obtained during a contact or stop with a citizen will be recorded on a Call for Service in C.A.D, or in a report.
5. All CAD reports, or written reports will be turned in to a supervisor for review.

210.6 Arrests

A. Decision to Arrest - A police officer has a number of options when dealing with a criminal violator. Among these is the decision to make a physical arrest and incarcerate, he may complete an arrest warrant, issue a Notice to Appear, file a capias, complete an information report, or clear the call with no action taken.

B. Physical Arrest - Incarceration

1. **Felonies** - An officer will incarcerate a suspect when there is probable cause to believe the suspect has committed a felony offense and the victim is willing to prosecute. Officers do not have discretion in felony cases. (In cases designated as domestic violence related, prosecution will not require the willingness of victim to pursue charges.) Exceptions to this will be reviewed and approved by a supervisor.

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- a. Members will seek an arrest warrant for the suspect if they are no longer on scene.
 - b. Capias requests are only allowed for felony cases with the watch commander's approval.
 - c. Members may seek an arrest warrant even if the suspect is on scene while the investigation is ongoing if there is no reasonable threat of violence or flight.
2. **Misdemeanors** - A suspect may be incarcerated for misdemeanor offenses at the discretion of the officer provided the offense occurred in the presence of the officer or is one of the misdemeanor exceptions. Specific misdemeanor offenses that are mandatory arrests (no officer discretion), are defined by law and/or Agency policy. The victim should be willing to prosecute, except in domestic violence cases. Officers will remain familiar with the legal requirements of Florida Rules of Criminal Procedures 3.125 on the authority of officers to release arrested persons on recognizance.
- C. **Notice to Appear** - A Notice to Appear is an arrest. If a physical arrest and incarceration cannot be made, then a Notice to Appear cannot be issued. The Notice to Appear option may only be exercised on non-violent misdemeanors. It should not be used for domestic violence, DUI, or alcohol violations involving an intoxicated person. Prior to issuing a Notice to Appear, the suspect must meet the criteria in Florida Rules of Criminal Procedure 3.125.
 1. The arrest is for a misdemeanor or ordinance violation.
 2. The suspect provides sufficient personal information and identification.
 3. The suspect poses no noticeable threat to themselves or others.
 4. The suspect has ties to the jurisdiction (employment, residence, etc).
 5. There are no outstanding warrants for their arrest, including warrants where the agency refuses to extradite.
 6. There is no history of failure to appear in court. This applies to previous criminal cases as well as non-criminal actions, such as traffic violations.
 7. The suspect must agree to sign the Notice to Appear.

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D. Capias Request - A capias request may be completed in both felony and misdemeanor cases.

1. **Felonies** - A capias request should be completed on those felony cases where: where the officer has concerns regarding the strength of the criminal case. Members must complete an arrest warrant for all felony cases where the suspect is no longer on scene unless approved by a watch commander.
 - a. **Capias** - Requests are submitted to the State Attorney's Office where the officer is concerned about the probable cause, but more than mere suspicion.
 - b. This allows the State Attorney's Office to review the case report and determine if they wish to prosecute the suspect.
 - c. A capias request should be completed on those misdemeanor offenses that do not occur in their presence and are not an exception to the misdemeanor rule.

E. Arrest with Warrant- Requirements [901.16 FSS](#)

1. There are two requirements of an officer executing an arrest warrant:
 - a. The suspect is the person whom the warrant was issued.
 - Notify the suspect of the existence of the warrant.
 - b. The warrant is valid on its face.
 - Notify the suspect of the charge on the warrant.
2. Officers will use whatever lawful means necessary to positively identify a suspect they believe has a warrant for their arrest.
3. In most instances, officers are informed of the existence of an arrest warrant through FCIC/NCIC warrant checks. Officers receiving notification of a warrant will confirm the validity of the arrest warrant with the originating agency.
4. Persons arrested on valid warrants and properly identified will be turned over to the Brevard County Sheriff's Office.

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5. Officers will document warrant arrests with an Offense Incident Report that will contain the warrant number and originating agency.
6. Absent exigent circumstances, municipal police officers cannot make forcible entry into a residence to locate a suspect wanted on an arrest warrant. However, personnel from the sheriff's office may force entry into a residence to locate and arrest a suspect.

F. Arrest without Warrant - A law enforcement officer may arrest a person without a warrant when:

1. The person has committed a felony or misdemeanor or violated a municipal or county ordinance in the presence of the officer. An arrest for the commission of a misdemeanor or violation of a municipal or county ordinance will be made immediately or in fresh pursuit.
2. A felony has been committed and there is probable cause to believe the person committed it.
3. Reasonable belief that a felony has been or is being committed, and the person to be arrested has committed or is committing it.
4. A warrant for the arrest has been issued and is held by another peace officer for execution.
5. A violation of FSS Chapter 316 has been committed in the presence of the officer. Any law enforcement officer, upon receiving information relayed to them from a fellow officer stationed on the ground or in the air that a driver of a vehicle has violated FSS Chapter 316, may arrest the driver for violation of those laws when reasonable and proper identification of the vehicle and violation have been communicated to the arresting officer.
6. There is probable cause to believe the person has committed a criminal act according to Florida Statutes 790.233, 741.31 or 784.047, which violated an injunction for protection pursuant to 741.30 or 784.046, or a foreign protection order pursuant to 741.315.
7. There is probable cause to believe the person has committed an act of domestic violence, as defined in 741.28 FSS.
8. There is probable cause to believe the person has committed child abuse as defined in 827.03 FSS.

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9. Officers may also arrest with probable cause for other specified misdemeanors as defined in Florida Statutes. These misdemeanors are known as the misdemeanor exceptions.

G. Controlling the Arrest - Different arrest situations require different control techniques ranging from the mere presence of an officer to the use of deadly force. In all instances, officers will be permitted to use only that amount of force that is reasonable and necessary to affect the arrest. In all arrest situations, the officer should display a command presence that is respectful and confident. This is displayed by tone of voice, bearing, attitude and appearance. [GO 201](#)

H. Officer Responsibilities

1. Officers will be responsible to themselves and fellow officers for officer safety. An officer making an arrest will not be lax and will employ proper officer safety techniques.
2. Officers will take reasonable precautions to prevent endangering the safety of bystanders during arrest situations.
3. Officers will be responsible for the arrested person. This may include obtaining medical treatment and clearance for those who are injured, ill or who are suspected of drug ingestion. Officers will not use physical force on a handcuffed prisoner except as reasonable to restrain violent behavior, prevent injury and maintain custody. [GO 211](#)
4. The officer will maintain physical control at all times.

I. Searching Prisoners - All arrested persons will be searched for weapons, contraband, and evidence at the time of arrest and prior to any transport within the limits allowed by law. Officers will make themselves familiar with [FSS 901.21](#), [901.211](#), [901.215](#). Field searches subsequent to a lawful arrest will be complete.

1. The arrestee will be handcuffed prior to searching.
2. The prisoner should be kept off balance while the officers maintain their own balance. The prisoner should stand with feet spread and toes pointed outward and slightly bent forward at the waist.
3. Use one hand to search, one hand to control the arrestee.
4. Commands should be kept clear and brief.

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5. Never walk between the arrestee and the cover officer.
 6. The officer should never turn their back to the arrestee.
 7. Use a kneading motion rather than a patting motion when searching. Patting does not often reveal the presence of contraband or smaller weapons. Searches should be conducted in a pre-determined, systematic pattern, dividing the body into quadrants.
 8. Do not search from the front.
 9. Arrestees who appear inebriated, intoxicated, or not in control of their physical functions will be examined by the officer for a medical alert bracelet, necklace or other visible identifying device that would specifically delineate a medical disability and would account for the person's actions. If such a medical alert is found, the officer will immediately arrange for medical attention for the arrestee.
 10. Personal property belonging to the suspect may be relinquished to another person at the scene as long as the suspect agrees. **At no time will a member turn over any property belonging to a suspect to another person unless the following occurs:**
 - a. A complete itemized property sheet must be completed
 - b. The person receiving the property must sign the property report signifying that they have taken custody of the items.
- J. Handcuffing** - All arrested persons will be handcuffed and searched prior to being transported. When handcuffing a prisoner, officers should follow these guidelines: [GO 209](#)
1. Florida Statutes requires the officer to advise the subject they are under arrest and notify them of the officer's authority. The arresting officer should give the person to be arrested the opportunity to comply. [FSS 901.16](#) and [901.17](#) except when this would jeopardize the arrest.
 2. Approach the arrestee from the rear whenever possible.
 3. Maintain physical control of the arrestee by use of the proper technique.

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4. Handcuff the prisoner's hands behind his back with the back of the hands touching.
5. Double lock the handcuffs with the keyholes facing away from the suspect, (pull and push to ensure the locking mechanism is working).
6. When control of the prisoner's legs and/or feet is necessary, a pair of ankle shackles or nylon flex cuffs may be used. To prevent damage to the patrol vehicle or where a prisoner may injury themselves or others, the ankle shackles may be secured by the Agency approved leg restraint system installed in the patrol cars. All officers will be trained in the use of this equipment prior to application of the equipment.
7. Prisoners will not be handcuffed to any object, other than a co-defendant, except in an emergency.
8. During high risk handcuffing, officers will avoid crossing in front of the cover officer. Officers will communicate verbally during complex arrest situations.
9. When suspect has attempted to defeat restraints (211.2.D(6)):
 - a. It will be mandatory that an officer shall apply an alternate set of restraints (ankle chains, smaller handcuffs if applicable, etc.)
 - b. The officer will communicate the incident with other officers on scene so they are aware of the risk
 - c. The officer will notify their supervisor without delay

K. Transport to a Medical Facility [GO 211](#)

1. It is the arresting officer's and/or DBS's responsibility to ensure that all person(s) taken into custody, for whatever reason, (arrest, protective custody), receive medical treatment if injured or complaining of illness.
 - a. The on-duty supervisor will be notified immediately. For minor injuries and ailments, the prisoner may be transported in the police vehicle to receive medical treatment. Where there are indications that the prisoner needs immediate medical attention, (symptoms of heart attack, difficulty breathing, head injury, seizure, apparent drug overdose, excessive

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bleeding, etc.), Emergency Medical Service personnel will be summoned immediately to the scene of the detention.

- b. A prisoner in this condition will not be transported in the police vehicle. The arresting officer will perform basic life support first aid if necessary until EMS arrives and begins treatment.
 - c. If exceptional circumstances exist affecting the availability of EMS transport or the scene of the detention is in close proximity of an EMS facility or personnel, transport of the prisoner in the police vehicle may expedite emergency treatment for the prisoner. In these rare situations, a transport may be allowed only after prior supervisory approval is obtained. If no supervisory approval is received, the arresting officer will standby at the scene of the detention and wait for EMS to arrive.
 - d. The approving supervisor will document the reason for the transport in a supplemental case report and forward a copy thru the chain-of command to the Chief of Police. An officer will escort arrestees requiring ambulance transport.
2. Medical treatment will be obtained at Palm Bay Community Hospital, (PBCH), unless the EMS evaluation of the prisoner requires an alternative emergency medical care facility and ambulance transport. Upon arrival at the emergency medical care facility, the officer will maintain close contact with the prisoner. When escorting the prisoner in an unsecured area, the officer will never grasp the handcuffs, only the prisoner's arm to maintain control and guide his direction.
 3. The officer having custody of the prisoner will remain with the prisoner at all times during the examination and treatment. The officer will:
 - a. All prisoners being medically treated and transported by the officer will have ankle restraints as a secondary restraint.
 - b. Only remove the restraints from the prisoner when they interfere with medical treatment.
 - c. When removing restraints, use the utmost caution and only remove those restraints necessary. In some cases, alternative restraints may be appropriate. Consider having the prisoner strapped to the gurney or bed. Back up is to be used except for medical emergencies. Hospital staff (i.e. security), may be used for back-up purposes when treatment is necessary.

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- d. Upon completion of the treatment, replace the restraints on the prisoner.
- e. If the required medical treatment restricts the officer's access to the prisoner or the use of the restraints, the officer will comply with the attending physician's directions after the physician has been advised of safety concerns.
 - If the prisoner, in the officer's opinion, is a risk to the officer's safety, the safety of the medical staff, or poses an escape hazard, the officer will notify his supervisor and request a second officer for back up.
 - Hospital security personnel should also be made aware of prisoners who pose a threat to safety.
 - If medical considerations restrict the officer's use of proper procedures to ensure his security, he will advise a supervisor and request additional assistance.
- f. During medical transports, the officer will be especially aware of his sidearm and protect his/her weapon at all times.
- g. If the prisoner is to be incarcerated, the transporting officer will ensure all medical paperwork and medication is turned over to the receiving officer at the detention facility.
- h. If the prisoner charged with felony charges or non-releasable offenses is to be admitted into the hospital, the officer in control of the prisoner will notify his supervisor immediately for a decision on whether an officer will be posted or if other alternatives should be considered. Officers will notify the Commander or Lieutenant of situations where prisoners are expected to experience a protracted hospital stay. The Commander or Lieutenant will contact the on-duty Assistant State Attorney and request the judicial process be initiated to release the prisoner from police custody, where appropriate.
- i. If the prisoner refuses medical treatment, this should occur in the presence of medical personnel. The officer should obtain documentation of the refusal and include those persons present at the time of refusal in his report. The officer may sign the release form for the arrestee's refusal.

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- j. In completing the case report, the arresting officer should include the following information in the report.
 - A description of the injuries.
 - A detailed explanation of how the injuries occurred. If unknown, state so and explain, (i.e. prisoner had injury prior to arrest).
 - Photographs of the injuries, whenever possible, before and after treatment.
 - Indicate whether treatment was provided and, if so, who treated the prisoner and where the treatment was received.

L. Mass Arrest [GO 211](#)

1. **Pre-planned Mass Arrest** - When the Agency engages in pre-planned operations where numerous arrests are planned, the organizer will notify the Lieutenant or Commander who in turn will notify the respective Division Commander of the pending operation. Arrangements will be made with the Brevard County Detention Facility to include the expected number of arrestees, transportation needs, and other assistance required to complete the operation safely.
2. **Unplanned Mass Arrest** - During certain incidents there may be occasion where mass arrests are made. Arrests that exceed the holding capacity of the Agency's facility will require immediate notification of the chain of command. The Brevard County Detention Facility will be notified for arrangements or assistance to include requesting special transport vehicles or other necessary help in order to safely deal with the prisoners.

M. Arrest of the Mentally Ill - See Crisis Intervention [GO 212](#)

- N. Arrest of Juveniles** - It is the policy of the Agency that juveniles arrested will be transported to the Agency for the booking process and notification will be made to Crosswinds Juvenile Assessment Center, (JAC)/Juvenile Detention Center (JDC). This Center provides a centralized as well as standardized information network that will provide efficient, effective and timely processing of juveniles. See Juvenile Operations [GO 508](#).

- O. Intoxicated Persons** - See Crisis Intervention and Protective Custody [OMA 502.28](#). When encountering a person who is intoxicated to the extent that

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his/her faculties are impaired, is in a public place, and is not driving, the member will follow these procedures:

1. Check for signs of any medical condition which may explain the person's behavior. Check for a medic alert bracelet. If a medical condition is suspected, the member will summon Fire Rescue to provide medical assistance.
2. If the person poses no immediate threat to him/herself or others, the member may either provide a ride home for the person or call for a taxi upon that person's request.
3. If the person requests to be taken to a treatment facility, the member will have the Communications Center contact Circles of Care to ascertain availability of a bed. If there is one available, the member may transport the person.
4. If the person poses a threat to him/herself, the member will follow the guidelines set forth in Section 210.7.

210.7 Marchman Act - The Marchman Act is a process established by Florida State Statutes by which a person may be involuntarily admitted for an evaluation to determine if his/her judgment is impaired due to substance abuse. In addition, the person has lost self-control with respect to substance abuse and poses a threat to him/herself or others as well as refusing any form of treatment. Members who are investigating persons who meet these criteria will adhere to the following guidelines:

- A. If the person is injured, complains of injury, or is intoxicated to the point that immediate medical assistance is warranted, the member will request rescue personnel to respond to the scene to assess the situation. If the person's need for medical assistance is not immediate, the member may transport the subject to the hospital for medical treatment.
- B. If the person is not in need of medical assistance due to any of the conditions above, and the member believes that the subject may have a high level of intoxication, the member may request the person take a portable breath test to determine the need for medical services. If the person's blood alcohol is at a .30 or greater, the member will transport the subject to the hospital for medical clearance prior to transporting to a treatment facility.
- C. When the person is either medically cleared or there is no immediate need for medical treatment or clearance, the member will have the Communications

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Center contact Circles of Care to ascertain availability of a bed. If there is no room for the subject, the member will transport the person to the Brevard County Jail under the Marchman Act.

- D.** If the member transports the person to Circles of Care, the member will complete the Marchman Act form which will be turned over to the medical personnel.
- E.** If the member transports the person to the Brevard County Jail, the member will complete an arrest affidavit (923.01), reflecting that the person was taken into custody under the Marchman Act instead of a criminal violation.

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Subject: Prisoner Care	Order No: 211	
Rescinds: GO 211 Revised: 08/21/18	CFA 5th: 16.03, 21.01, 21.02, 21.03, 21.04, 21.05, 21.06, 21.07, 21.08, 22.01, 22.02, 22.03, 22.04, 22.05, 22.06, 22.07, 22.08, 22.10, 22.11, 22.12, 22.13, 22.14	Revised: 07/11/19
Reference: FSS 901.35, 901.211, 985.212. GO 209, 210, 211,212, 219, 305. Strip & Body Cavity Search Authorization Form, Detention Facility Checklist.		
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211 Policy

- A.** This directive establishes the Agency's policy regarding Prisoner Care which addresses searches, transport, gender, age, mental illness, and medical requirements when dealing with prisoners. The safety of officers, the public, and prisoners is contingent on the professionalism and adherence to these procedures by arresting or transporting officers.
- B.** Depending on Agency needs, prisoners may be transported to the following locations:
1. The Agency for processing.
 2. A Brevard County Sheriff's Office jail or detention facility.
 3. A Juvenile Detention Center, Parent, or Guardian.

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4. A Medical Facility.
 5. Another Officer or Transporting Official.
- C. The arresting officer is responsible for the care and security of the prisoner until he/she has transferred custody of the prisoner to another officer or authorized custodian.

211.1 Definitions

- A. **Strip Search** - A strip search means having prisoners remove or arrange some or all of their clothing to permit a visual or manual inspection of the genitals, buttocks, anus, breasts (in the case of a female), or undergarments of such person or persons. [FSS 901.211](#)
- B. **Essential Members** - Essential members will consist of all prisoners, Desk Booking Specialists, sworn members or emergency medical personnel conducting official business, the on duty Sergeants or their designee and those sworn personnel of higher rank.
- C. **Supervisor** - Unless otherwise specified, will refer to the on duty Uniform Services Division supervisor, usually a Sergeant or Corporal.
- D. **Commander** - Refers to the sworn manager who is responsible for the operational aspects of the detention facility.
- E. **Mantrap** - Refers to those secured areas between the outer doors of the holding area and the actual holding facility where searches are conducted.
- F. **Emergency Situations** - Are those situations or circumstances that may have an immediate threat of danger to members or operation of the detention facility.
- G. **Building Maintenance Manager** - Refers to the Logistics Division Manager in the Support Services Division who is responsible for building maintenance and upkeep.

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211.2 General Procedures

A. Search of Transport Vehicles

1. **Search Before and After** - A search of a transport vehicle will be completed at the beginning of each tour of duty. The transporting vehicle's prisoner compartment will be searched prior to and after the transport of any prisoner. This procedure is necessary to assure the transporting officer no weapons or contraband are present in the vehicle prior to the prisoner being placed in the vehicle.
2. **Contraband** - Most police vehicles will not be under constant surveillance. The absence of surveillance creates the possibility that weapons or contraband could have been secreted in the vehicle without the officer's knowledge. The procedure of searching prior to transport also assists in establishing possession of contraband by the prisoner if he discards the contraband item in the transport vehicle.

B. Search of Prisoners

1. **Search and Responsibility** - Officers accepting prisoners from other officers will search the prisoners before accepting custody and will be responsible for the prisoners. Prisoners will be searched every time they come into another member's custody. The primary concern for prisoner searches is weapons and contraband but officers also should be aware of medical alert devices. Prisoners with indicated medical conditions will be asked about the nature of the condition, including required medication, and any special treatment that may be required while the prisoner is in custody. This information will be documented on the arrest affidavit (923.01), and passed on to the BCSO intake officer.
2. **Prisoner Property** - Property belonging to the suspect that is not seized as evidence may be turned over to another person on scene as long as the suspect agrees. If the suspect refuses the transfer of property to another person at the scene, the member will turn the property into Property Evidence for safe keeping. The member will complete the Prisoner Property Receipt and ensure the original copy is turned into Records, one copy with the property to Property and Evidence and one copy sent with the prisoner to Sharpes. If the prisoner agrees, the member will ensure the following is completed:

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- a. The arresting member will complete an itemized property report outlining all property to be released to another at the scene
 - b. The arresting member will ensure that the receiving person signs the property report signifying they have assumed custody of the item(s). **At no time will a member turn prisoner property over to another person without completing an itemized property report with a signature.**
3. **Search by Same Gender** - Under normal circumstances, prisoners will be searched by an officer of the same sex as the prisoner. Female officers or female booking members will search female prisoners. If females are searched by a male officer at the station, an officer or DBS will witness the search.
 - a. A limited search by a member of the opposite sex refers to the use of the back of the hand and, if available, use of a metal detector wand. The purpose is officer protection, the discovery of weapons or contraband. Non-sworn (exception Desk Booking Specialists), witnesses will not conduct searches.
 - b. The supervision of prisoners that are the opposite sex of the monitoring employee is authorized while the prisoner is in a holding cell. When a prisoner is released from the holding cell for processing, transfer, or other need, there will be at least two sworn officers or DBS present during the time the prisoner is not in a holding cell or a transport vehicle.
4. **Exigent Search** - Whenever probable cause exists that any prisoner may have on his/her person a weapon that could cause injury or death to an officer or any other person, a search will be made of that person immediately. In the case of a female prisoner, it is preferable that such search be made by a female police officer, unless officer safety demands otherwise.
5. **Strip Search** - Is having an arrested person remove or arrange some or all of his or her clothing to permit a visual or manual inspection of the genitals, buttocks, anus, breasts (in the case of a female), or undergarments of such person. **Strip Searches will only be conducted according to Florida State Statutes and Agency guidelines as follows: [901.211 FSS](#) [GO 219](#)**

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- a. No person arrested for a traffic, regulatory, or misdemeanor offense, except in a case that is violent in nature or involves a weapon, or in a case involving a controlled substance, will be strip searched unless there is **probable cause** to believe the individual is concealing a weapon, controlled substance, or stolen property.
- b. Each strip search will be performed by a person of the same gender as the arrested person and in a location where the search cannot be observed by persons not physically conducting or involved in the search. Any observers will be the same gender as the arrested person.
- c. No law enforcement officer will order or conduct a strip search without obtaining the written authorization of the supervising officer on duty.

6. Body Cavity Search Restrictions - Body cavity searches are more intrusive than strip searches. No search of any body cavity, other than the mouth, will be conducted. Unless probable cause for an exigent search, as defined in section 211B (3) of this directive exists, the Agency requires an officer to seek a search warrant prior to this type of search. **Prior written authorization must be obtained by a Lieutenant, a Commander, or a higher rank.** If a search warrant is obtained, or reasonable justification for an exigent search exists, it will be conducted in a medical facility by a licensed physician or nurse. [<Strip Body Search Form>](#)

C. Restraint Devices - Except as noted in this General Order, prisoners will be secured with appropriate restraint devices according to [GO 209](#) - Restraint Devices.

1. A prisoner will never be transported inside a police vehicle while lying on his/her stomach or back.
2. Prisoners will be seated upright with the necessary restraints. The seatbelt will be utilized, if safe. Care must be taken when seat belting a prisoner into the seat to avoid the prisoner biting or using his/her head to injure the officer.
3. Combative or self-destructive prisoners should be secured using the TARP procedure after supervisory approval.

D. Prisoner Position in Transport Vehicles

1. **Prisoner Placement** - All prisoners will be placed in the prisoner compartment of a transport vehicle. Only those vehicles equipped with a

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prisoner/member safety shield to confine the movement of the prisoner will be used. All prisoners will be searched prior to transport.

2. **Constant Observation** - It is the transporting officer's responsibility to maintain observation of the prisoner at all times. **Observation for medical problems is mandatory**, especially after a struggle or heavy physical exertion such as a foot pursuit. The officer must be aware of opportunities for escape or attack and prevent such opportunities from arising.
3. If two officers are in the transport vehicle, the second officer should be in the front seat in a position to keep the prisoner under constant observation.
4. A maximum of three prisoners will be transported in a single patrol vehicle at one time. Vehicles designed to carry more than three prisoners are not subject to this restriction. When unloading multiple prisoners they shall be removed and placed in detention one at a time. The others will be monitored by a sworn Officer or Desk Booking Officer until they are secured in Detention. Vehicles will be left in the sally port area only during the loading and unloading of prisoners.
 - a. The prisoner transport van may transport up to ten prisoners at a time. If the Desk Booking Officer is transporting multiple prisoners, regardless of sex, they will call or have the Communications Center contact the arrival facility and make arrangements to acquire assistance on arrival.
 - b. If an officer is assigned to transport multiple prisoners, the officer will call or request the Communications Center contact the arrival facility and make arrangements to acquire assistance on arrival.
5. When a prisoner has attempted to slip handcuffs/defeat restraints they will be transported alone so their actions can be monitored without distraction of additional suspects.
6. In the event that a suspect has defeated/attempted to defeat restraint devices:
 - a. It will be mandatory that an officer shall apply an alternate set of restraints (ankle chains, smaller handcuffs if applicable, etc.).
 - b. The officer will communicate the incident with other officers on scene so they are aware of the risk.

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- c. The officer will notify their supervisor without delay.
- 7. Juveniles will not be transported in the same vehicle as an adult unless:
 - a. The adult is the juvenile's parent.
 - b. The adult is the juvenile's co-defendant in the incident for which they are currently under arrest.
- 8. **Opposite Gender** - Female prisoners will not be transported with male prisoners, unless their arrests stem from the same offense. If the transporting vehicle is designed to allow female prisoners to be physically, (partitioned from view), and visually separated from male prisoners, they may be transported in the same vehicle. Officers or transporting members that are opposite gender from the transported prisoner will notify the Communications Center of their beginning and ending mileage. If a transport vehicle is not designed to physically and visually separate opposite gender prisoners who are in custody for unrelated offenses a separate transport vehicle will be utilized.
- 9. **Violent** - Violent or combative prisoner(s) will be separated and Agency approved restraints will be used as necessary. Combatant prisoners will not be transported in the same vehicle. In order to prevent or reduce prisoner self-injury, officers shall consider the following special restraint and safety devices for transporting a violent prisoner:
 - a. TARP
 - b. Soft headgear
 - c. Shackles
- 10. Sick, disabled, or injured prisoners will not be transported with other prisoners. When a prisoner/detainee is in need of, or requests medical assistance, the officer/DBS will ensure proper medical attention is provided to sick, disabled, or injured prisoners. This will include the following depending on severity:
 - a. Provide first aid,

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- b. Summon Palm Bay Fire Rescue for medical evaluation,
- c. Summon an ambulance for transport to a medical facility for treatment.
- d. In all circumstances where sick, disabled, or injured prisoners are transported to any detention facility, the receiving facility will be notified of the prisoner's complaint, condition, and medical services that were provided.

E. Medical Transports - See Arrests, Stops, Frisks [GO 210](#) F. Officer to Maintain Visual Contact and Physical Control of Prisoner

- 1. Desk Booking Specialist(s) are responsible for the booking process as well as ensuring prisoner control in the booking facility.**
2. A rest stop should not be required during normal prisoner transport; however, the officer may have to transport the prisoner to the hospital, court, or on a rare occasion, perform an extended transport.
3. Prior to leaving a facility on an extended transport, the officer will allow the prisoner to use the restroom.
4. If, at the hospital, court, or on an extended transport, the prisoner requires use of the restroom, the officer will accompany the prisoner to the restroom keeping the prisoner in the officer's field of vision.
5. Upon leaving any of the previously noted locations, the officer will again search the prisoner prior to transport.
6. Two officers will be assigned if it is necessary to perform an extended transport. If the prisoner requires a rest stop, the officers should take extreme care and caution in determining the proper place to stop.
 - a. Isolated gas stations in rural areas involve the least hazard.
 - b. At least one officer will maintain a vigilant watch on the prisoner at all times.

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- c. The officer will not allow another person to come between him and the prisoner or to be sufficiently close that the officer's control of the prisoner is jeopardized.

G. Police Service While Engaged in Transport.

1. The primary duty of the transporting officer is the safe and timely delivery of the prisoner to the proper detention facility. The handling of another police incident may divert the officer from his/her primary task and place the prisoner in jeopardy.
2. An officer will not handle another police incident while transporting a prisoner, unless the incident is of such magnitude that a life is placed in imminent jeopardy of death or great bodily harm. The officer must always be concerned with the safety of the prisoner and should not expose the prisoner to unnecessary hazards.

H. Escape of a Prisoner

1. These procedures will be followed whether escape is from the jurisdictional boundaries of Palm Bay or outside the jurisdictional boundaries of Palm Bay. In the event of an out of county (area), escape the on-duty patrol supervisor may be unable to respond to the scene. However, the patrol supervisor will facilitate and attempt to ensure the prescribed actions are taken.
2. **Persons to be Notified** - If an escape occurs, officers will make the following notifications:
 - a. **Communications Section** - The dispatcher advised of the escape will notify the on-duty Communications Supervisor. The Communications Supervisor will ensure a radio and teletype BOLO is broadcast with the pertinent information on the prisoner as well as original charges, location, and lapsed time since the escape. The Communications Supervisor will notify the following:
 - Communications Section Manager
 - USD Commander
 - Chief of Police

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- Investigations Division Commander

- Neighboring jurisdictions

b. Patrol Shift Supervisor - The Patrol Shift Supervisor will respond to the scene of the escape. He will notify the following agencies and functions according to need:

- K9
- SWAT
- Brevard County Sheriff's Office Aviation Unit
- Neighboring jurisdictions for support

3. Reports to be Prepared - The officer in charge of the prisoner at the time of escape will prepare an offense incident report prior to the end of shift. The report will include any use of force, justification for the use of force, specific events leading up to the escape and the actions taken in order to recapture the escapee.

4. Actions to be Taken - Every effort will be made to pursue and apprehend the escapee, when practical. An officer will initiate the notification sequence indicated. Additionally, if practical, the following actions should be taken:

- a.** If the escape occurs from the holding facility, all alarms will be sounded.
- b.** Assignment by supervisor of available personnel to establish a perimeter to contain the escapee.
- c.** Utilization of K-9.
- d.** Utilization of aviation units.
- e.** Preparation of an arrest warrant by Investigations.
- f.** Evacuation of populated structures within the perimeter if the escapee poses extreme danger to the public.
- g.** Broadcast of radio and teletype BOLO's.

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h. Assistance from neighboring jurisdictions.

i. Investigation into known family and associate residences, if local.

5. Once the escapee has been recaptured, the supervisor will notify communications that the alert is over and return all units to active status. In the event the escapee is not recaptured, the supervisor will decide when units will return to service and what is required.

I. Prisoner Contact with Others - An officer transporting a prisoner will not allow the prisoner to have contact with other civilians, including the prisoner's attorney. The lack of control of the physical surroundings by the officer during transport precludes prisoner interaction with anyone, until such contact can transpire in a controlled setting.

J. Meals during Extended Bookings - The Agency does not provide meals for prisoners. If a prisoner is detained in our facility past a normal mealtime (i.e. 0700-0900, 1100-1300, or 1800-2000 hrs.), the officer will arrange with the destination facility to feed the prisoner upon arrival.

K. Transfer of Prisoner

1. Upon arrival at the destination, the transporting officer will notify the Communications Center. If the officer is transporting a prisoner of the opposite sex, the officer will notify Communications of the vehicle mileage at the time of departure and arrival.

2. If the transport vehicle is parked in an unsecured location, the officer will lock the doors and secure the patrol vehicle after the prisoner has been removed from the vehicle.

3. The officer should assume the holding facility restricts the introduction of weapons including those carried by police. If the transport involves a destination facility with which the officer is unfamiliar, the officer, upon identifying himself and announcing his purpose, will notify the facility that he/she is armed and request instructions for securing the weapon. Under no circumstances will an officer carry any concealed weapons into a detention facility.

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4. If the destination is a detention facility or jail, the transporting officer will secure all weapons by securing them in the trunk of the transport vehicle or front cab of the vehicle to which prisoners have no access.
5. Upon transferring the custody of the prisoner to facility personnel, the transporting officer will allow the facility personnel to remove any restraining devices used for the prisoner.
6. The transporting officer will advise the receiving facility or personnel of any potential medical or security hazards.
7. The transporting officer will provide the receiving officer or facility with all documentation, property, and transfer information of the prisoner. Documentation will include the following:
 - a. Charging document (923.01) and related supplements.
 - b. Citations if applicable.
 - c. Property and cash inventories.
 - d. Medical instructions and releases, if applicable.
8. The transporting officer will ensure the Communications Center has recorded the transfer information in CAD. The information will also be recorded when the prisoner is turned over to a BCSO transport officer, or other agency's transport officer, from the Agency's holding facility. The charging document (923.01) will include in the narrative section the disposition of the prisoner (to whom released).

L. Medical Facility Security [GO 210](#)

1. The Agency is responsible for the security of arrested persons who are hospitalized until custody is legally transferred to another law enforcement agency, or until the arrested person is released from custody pursuant to law, rule of procedure, or court order. Do not allow the arrested person to make phone calls or have visitors while in your custody. Advise medical staff to not disclose that prisoner is a patient if called by family members or friends.

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2. The officer who accompanies or transports a prisoner to a medical facility for treatment of wounds, blood draw, or other physical medical condition requiring treatment will remain with that prisoner until relieved by another officer.
3. If a prisoner requires an extended period in a medical facility for treatment, officers will notify the supervisor of the prisoner condition and, if known, expected length of time the medical facility estimates prior to discharge. In all instances, officers in charge of prisoner custody will document through the Communications Section the length of time they were responsible for the prisoner.
4. The prisoner will be secured in a way that allows the medical facility personnel to render treatment. If the prisoner's condition is such or surgery is required, the officer will maintain control of the prisoner through constant observation or egress points in order to maintain custody.
5. Investigating officers should not request the hospital staff to notify the Agency of the discharge of a non-arrested person for the purpose of arresting the person at the time of his release from the hospital.
6. The responsibility for payment will be determined according to the order of responsibility set forth in [901.35 FSS](#). The Agency is not responsible for medical expenses.
7. Medical clearance will be obtained in writing from the treatment facility. The medical clearance form, along with any special medical instructions, will be transferred to the intake or transport BCSO officer.

M. General - It is the responsibility of the arresting/charging officer to ensure that a prisoner is transported to the police department, hospital, or the jail. This does not absolve specialty units of this responsibility. They are required to transport or request assistance from the on-duty supervisor or commander.

N. Investigative Transport - Investigative transports are prisoner transports to further investigative information such as house, vehicle, or person identification by the prisoner. In these instances, officers will follow this procedure.

1. The prisoner will have his/her ankles shackled during any investigative transport.

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- a. **If transport is not in a caged vehicle**, in addition to ankle shackles, officers will handcuff and/or use the belly belt.
 - b. Prisoners will be seat belted in the transport vehicle.
 - c. The doors of the transport vehicle will be locked during transport.
2. In every investigative transport, two sworn officers will accompany the prisoner at all times.
3. The Communications Center will be notified of an investigative transport and the following information recorded:
 - a. Prisoner name and case number associated with their arrest.
 - b. Identification of officers responsible for the transport and back up.
 - c. The vehicle number, description, and mileage of the vehicle used.

211.3 Holding Facilities

- A. **Maximum Six Hour Detention** - Holding cells are used to temporarily detain prisoners for processing. Every attempt will be made to transfer the prisoner as expeditiously as possible after processing. A prisoner should never spend more than six hours in the holding facility. With special circumstances and supervisory approval, an **adult prisoner** may be held up to eight hours.
- B. **Operation and Maintenance** - The operation and maintenance of the holding and processing area will be the responsibility of the Uniform Services Division Commander or designee. Janitorial services are contracted to conduct daily cleaning. However, in between this service, the holding area will be kept clean and free of debris.
- C. **Arrestee Detention Only** - Persons that have not been arrested will not be detained in the holding area.

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D. Minimum Conditions

1. Holding cells will be lighted and dry, must provide the necessary ventilation and be maintained at a reasonable temperature. Prisoners will have access to drinking water, sink, and toilet.
2. Holding cells will be inspected immediately after a prisoner is transferred from the cell to another officer or agency. This inspection is to be documented on the Detention Facility Checklist. The person transferring the prisoner into or out of a cell is responsible for conducting this inspection and documenting it on the checklist. Any damage that makes that particular cell unsafe, dangerous, or does not provide the minimum conditions will be reported to the supervisor. The cell will be taken out of service by closing and locking the door and placing a placard, readily visible to all members indicating the cell is not to be used by order of the supervisor. The cell will remain unused until repaired and meets minimum conditions and safety requirements.
 - a. Documentation of the inspection will be completed on a Detention Facility Checklist form at the start of shift. The Checklist will serve as a daily running log of inspections of the facility. [Detention Checklist](#). The Detention Facility Checklist is a two-page form: the front page is used to document the inspection conducted at the start of shift, the back page is used to document activity in each cell during that shift.
 - b. The Logistics Division Manager will coordinate pest control of the facility during monthly scheduled visits in addition to regularly scheduled contract cleaning.
3. Upon expenditure of emergency supplies, such as first aid equipment or fire extinguishers, the user will note in the pass along log the equipment use and will complete a supply requisition as necessary.
4. Desk Booking Specialists will be required to maintain sanitary conditions in the facility to the extent their equipment and abilities permit. Desk Booking Specialists will maintain control of maintenance equipment, tools, and supplies while inside the holding area. In all instances, maintenance tools will not be stored or kept in the holding area. Shift inspections of holding facility will confirm maintenance and/or repair tools are not kept in the holding area. This will be conducted daily.

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- a. Cleaning of hazardous and/or potential biohazard materials will be accomplished by the designated contractor as established by the Logistics Division Manager. Personnel should contact the Communications Center to call out the contractor.
 - b. In the event a prisoner is found to have a communicable disease or infestation, the holding cell that was occupied by that prisoner will not be utilized until it has been cleaned/deloused. Such information will be recorded in the Detention Facility Checklist form.
- 5. A sign, in English and Spanish, will be prominently displayed in the holding area addressing the procedure for prisoners to gaining access to medical/emergency services by alerting the officer(s) present.

E. Inspection

- 1. Prior to placing a prisoner in a cell and after a prisoner is removed from a cell, the cell will be searched for weapons, contraband, and damaged equipment by Desk Booking Specialist, the arresting officer or designee. This search shall be documented on the front page of the Detention Facility Checklist. All prisoners will be thoroughly searched, personal property removed and secured, and any item that a prisoner may use to harm self or others will be removed prior to being placed in a holding cell.
 - a. All Desk Booking Specialists will conduct daily inspections of the detention facility as soon as practical after the beginning of the shift noting any damage on the checklist. In the event there is no Desk Booking Specialist, the patrol supervisor will perform this task. Desk Booking Specialists or supervisors will note on the Detention Facility Checklist the date and time of inspection.
 - b. At the end of the tour of duty the Watch Commander or designee will sign and date the back of the Detention Facility Checklist.
 - c. The Logistics Division Manager will inspect the holding area at least quarterly. This inspection ensures the Detention Facility Checklist, supplies, cleanliness, and repairs are being maintained and documented. The Manager will maintain these quarterly reports to provide a year-end compilation for review.
- 2. The facility has an automatic fire, heat, and smoke detection system. The Fire Department reviews local fire codes on a continual basis. On an annual

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basis, the Logistics Division Manager will obtain from the Fire Department any changes to the local fire codes which affect the equipment requirements for the holding area or police facility in general.

- a. The Logistics Division Manager will ensure the vendor inspects the fire, heat, and smoke detection system for damage or tampering every six months, and submits written proof of the inspection and any recommendations or anomalies noted during the inspection.
 - b. As part of this process, the vendor used for inspecting and testing will document the testing of the detection systems in accordance with local fire code. Required fire suppression equipment in the holding area will also be tested. The suppression equipment will be tested on a semiannual basis.
3. There is to be a written evacuation plan. An evacuation map for the facility complete with marked emergency exits and marked direction to hazard free areas will be prominently displayed in the holding area.

F. Security and Control

1. Keys to each cell will be kept in the keys locker in the holding area. Cell keys utilized to unlock cell doors will, as soon as practical, be returned to the keys locker. Emergency keys to the detention facility will be kept in the key box located in the field commander's office and in the Communications Center. The on-duty supervisor will account for these keys. Non-essential personnel will not have access to detention facility keys.
2. All officers and Desk Booking Specialist II's will secure firearms and knives prior to entering the holding area. Agency authorized less-lethal weapons including Taser, expandable baton and chemical agents are allowed in the holding area.
3. Authorized members will enter an occupied cell only under the following circumstances:
 - a. Remove a prisoner for processing or transport.
 - b. Provide emergency services.
 - c. Control an unruly prisoner who might harm himself or others in the cell.

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4. Authorized members will have their portable communications radio on their person at all times while in the holding area. Issued portable radios are equipped with an emergency alert button that enables them to contact the Communications Section and other officers in the event of an emergency. **Additionally, there is a hardline emergency alert button installed in the holding area.**
5. All outer doors and storage area doors will remain closed and locked when not in use. Cell doors not in use will remain open.
6. There will be no smoking allowed in the detention facility.
7. A minimum of one fire extinguisher of adequate size will be maintained in the detention facility. A first aid kit will be maintained in the detention facility. The location of this equipment will be clearly marked and be readily accessible. A daily form is to be filled out showing that an inspection of the detention facility was performed. The first aid kit will be checked monthly at minimum. All supplies are to be replenished as needed.
8. If an officer enters the detention area from the sally port, all weapons will be secured in either the trunk of the patrol car or in the gun lockers mounted on the wall.
9. If an officer enters the detention area from inside the building, all firearms will be secured in the gun lockers mounted on the wall of the mantrap.
10. The detention facility will maintain an emergency "cutter" for use in emergencies requiring a cutting tool. The cutter will be stored in an area that is not accessible to prisoners in the booking area.
11. In case of fire or an emergency building evacuation of prisoners from the Detention Facility, the monitoring DBS or officer will request emergency assistance for additional officers to assist with the evacuation and the on-duty supervisor. The monitoring DBS or officer will direct the Communications Center to close the sally port gates and the prisoners will be evacuated outside to the enclosed sally port.

G. Supervision of Prisoners

1. A member will be in the holding area during any period that a subject is being held in the detention facility.

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2. **All prisoners will be under constant supervision and control, when possible.** This will ensure immediate intervention for prisoners in the event of an emergency. If it is absolutely necessary for the monitoring member to leave the holding area, this lapse in constant supervision will not exceed **10 minutes. Prisoners displaying suicidal tendencies will not be left unsupervised at any time.**
3. Prisoners/detainees identified as being a danger to themselves or suicidal will be documented on the Detention Facility Checklist form by marking the box that indicates 'Suicidal Watch' next to the prisoner's name. The form will be kept in the detention area.
4. Documented visual observation is required for juvenile prisoners at least every 10 minutes. This documentation will be notated on the Juvenile Prisoner Observation form by either a Desk Booking Specialist or any officer completing the observation. The forms will be available in the detention area and will be turned into Records by the end of shift.
5. Audio-visual devices may be utilized for observation. If a prisoner is using the toilet, members will afford him/her privacy by turning away. To ensure prisoners do not succeed in hurting themselves, video observation will encompass as much of the cell area as possible.
6. Members will not enter occupied cells without another officer present, unless emergencies dictate otherwise.
7. Prisoners will not be removed from the detention cells unless two certified DBS and/or sworn officers are present, or a combination of the above.
8. When out of cell, prisoners will be secured in restraints and Desk Booking Specialists or the arresting officer will maintain physical control at all times. For signing of routine documents prisoners shall do this through the passthrough opening in the cell door.
9. Prisoners will not be secured to immovable objects within the facility if unsupervised.
10. **Prisoners in Detention Facility** - The Detention/Holding Facility have separate cells for male, female, and juvenile prisoners. At no time are the juvenile prisoners allowed regular contact with the adult prisoners. At no time will there be more than one prisoner out in the detention/holding facility

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area, with the exception of the jail van pickup if all prisoners are restrained and cooperative. When a prisoner is out of a cell, there will be a minimum of two DBS or one officer and one DBS, in the holding facility at all times.

GO 503

11. As practical, a patrol supervisor will monitor detention operations to ensure compliance with General Orders.

H. Training - The Commanders will be responsible for ensuring that all assigned personnel who are required to work within the detention facility are thoroughly trained, briefed, or updated regarding the operations of the facility. This training will include operating procedures, fire equipment and suppression, first aid, and other safety equipment provided.

I. Access to Detention Facility

1. Only essential personnel will be admitted to the detention facility without the direct authority of the supervisor or higher authority.
2. Under special circumstances, other personnel may be permitted access with the approval of the supervisor.
3. All non-essential personnel (i.e. maintenance, Fire Marshall, civilian personnel, etc.), may enter with approval of the supervisor and must be escorted while in the facility. Long-term repair work does not need constant escort. Escort personnel will ensure that all items brought in by visitors are removed.
4. Non-essential personnel will not be permitted in the detention facility while detainees are present. Exceptions to this section will be those persons responsible for maintaining the health, safety, and well-being of persons in the detention area (i.e. fire rescue, paramedics, fire fighters, other law enforcement officers, etc.).

J. Emergency Access

1. In an emergency, the supervisor will have the authority and responsibility to allow access to the detention facility of those non-essential personnel and/or weapons as are deemed necessary to provide for the restoration of order and/or the handling of the situation.

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2. Once the emergency has been controlled, restrictive access will again be enforced.

211.4 Intake Procedures

A. Intake

1. The officer brings the detainee into the detention facility. If entry is through the sally port, the gates are lowered, the officer secures all firearms, and entry is made into the man trap (secure vestibule) area.
2. **Search Detainee and Secure Personal Property** - The prisoner is searched in the Man Trap area and personal property removed is handled as follows:
 - a. Only one prisoner is searched at a time in the man trap.
 - b. The prisoner's personal property is placed in a temporary container until the search is completed.
 - The only property left with the detainee in the cell is items of necessary clothing, (i.e. undergarments, pants, shirt, dress, etc.). Belts, shoes, coats, hats, glasses, jewelry, body jewelry, and other items will be removed. Piercings in nipples, scrotums or other areas not easily retrievable by the officer should be removed by the arrestee and turned in with their property to go with them to Sharpes.
 - Prisoners brought into detention with nitroglycerin for heart conditions, after consultation and advisement of Palm Bay Fire Rescue or other qualified medical service will be allowed access to this medication in the prescribed dose during detainment.
 - Prisoners brought into detention with insulin pumps will be allowed to keep the pump and maintain the ability to manipulate its settings. Members are forbidden from tampering with insulin pumps of prisoners.
 - c. After the prisoner is secured in a holding cell and handcuffs or other devices are removed or added as required, the Desk Booking Officer or sworn officer will immediately secure the prisoner's property in its own property locker. **The property will be secured in a locker before another prisoner is processed through the man trap.** As soon as

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possible, the arresting officer or Desk Booking Officer will inventory all of the prisoner's property and record the inventory on the prisoner Property Form. The property will then be placed in a prisoner property bag. Cash will be counted and placed in a Cash Envelope. The officer or DBS who conducted the inventory will sign and write his/her badge or identification number on the Property Form and Cash Envelope. **The following forms will be completed whether or not the prisoner is incarcerated or released from the police station:**

- Property Receipt.
 - Cash Envelope if there is any currency. If the prisoner has no currency, a Cash Envelope does not need to be completed (money orders and cashier's checks are not considered currency).
 - Property Bag - If no property, indicate so on the Property Inventory Form.
- d. The Property Bag and Cash Envelope will be secured in its own prisoner property locker. **Prisoners will not share property lockers.** The officer or DBS who conducted the inventory will maintain the key to the assigned locker until the prisoner is transported and the property is turned over to the transporting officer, or BCSO officer. The transporting officer or BCSO officer will sign and write his/her badge/identification number under the signature of the inventory officer or DBS. If the inventory officer goes off duty before the prisoner is transported, the inventory officer or DBS receiving responsibility for the prisoner will inventory all property and cash in the locker in the presence of the initial inventory officer before he/she goes off duty. After this is done, the receiving officer or DBS will sign and indicate his/her badge/identification number on the Cash Envelope and Property Inventory Form under the signature of the initial inventory officer or DBS. **Whenever there is a transfer of responsibility and key custody of the prisoner's property, the same procedure must be followed.**
- e. **Prisoners with cash amounts under five hundred dollars or jewelry will have two officers/DBS confirm the inventory and both will sign the Cash Envelope and/or Property Inventory Form as provided in "d". If the cash amount is over \$500 but less than \$5000, two officers/DBS and a supervisor will verify the amount. If over five thousand dollars, an on-duty Lieutenant or Staff Duty Officer will**

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be called out to conduct the count and verify the amount. All will sign the Cash Envelope and/or Property Inventory Form.

- f. If the prisoner is ROR'd from the station, the prisoner will sign for his/her returned property on the Property Inventory Form and the Property Inventory Form will be submitted to the Records Unit with the case report. If the prisoner is transported to BCSO jail, a copy of the Property Inventory Form will be submitted with the case report.
3. Violent detainees may be secured additionally by the use of handcuffs, leg irons, or belly chains. Those detainees attempting to injure themselves, by striking their heads against an object, will be secured in protective headgear and transported to the Brevard County Sheriff's Office or other appropriate facility immediately. The supervisor will be notified immediately in these circumstances.
4. Prisoners of different gender and/or juveniles will not be detained in the holding area together unless each can be separated to such an extent that they are not in regular contact with one another.
5. Prisoners who are self-destructive, violent, ill, under the influence of drugs and/or alcohol, will be isolated in a separate holding cell and provided protective equipment (as needed), to prevent injury to self or others. **Two officers will transport violent prisoners to BCSO expeditiously. TARP (Tactical Appendage Restraint Packaging), requires supervisory notification and approval.** Authorized protective equipment includes the following:
 - a. Protective Headgear
 - b. Spit mask
 - c. Handcuffs
 - d. Leg cuffs
 - e. Belly harness
 - f. TARP configuration

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6. Prisoners who are injured or complain of injury will be isolated from other prisoners, in a different holding cell, while medical treatment is rendered.

B. Detention Computer - The detainee's information is entered into the detention computer and a fingerprint card is printed. This includes adults and juveniles. Arrest information on juveniles will be limited to authorized personnel only and collected, disseminated and retained as prescribed by Records Operations General Order [GO 305](#).

C. Process Paperwork

1. The appropriate arrest paperwork is completed for the detainee.
2. The supervisor will sign/notarize the charging document (923.01), if the detainee is transferred.

D. Photograph

1. The blank screen will be pulled down to provide a background for the arrestee photo.
2. The arrestee stands with his back to the screen.
3. To the right of the laptop, locate a black rectangular box and slide the switch to turn on the front lights.
4. Turn on the track lights by using the switch next to the DUI room labeled "Track Lights". The 3D camera will not work until all the lights are on. This includes the dimmer light (to the right of the laptop) and track lights (see the switch for lights to the right).
5. Have the arrestee stand with their toes on top of the colored tape.
6. Place the arrestee's face within the border of the box on the laptop. Be sure that the arrestee's face is centered.
7. On the laptop, click "Capture & Compute".
8. Fill in the arrestee's first and last name and the DR number.

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9. Enter into the computer the arrestee's first and last name along with the DR number. The last number is dependent on the number of defendants for the crime under the same DR number. If the arrestee is a juvenile, type "JUV" before entering the DR number (Example: JUV1400000-1).

10. Click "Save 3D"

11. Click "New"

These are the steps to following with cooperative prisoners. In the event, the prisoner is not cooperative and a 3D image cannot be obtained, the image can be captured with the "Save 2D" button. The safety of all members in the jail is more important than capturing a biometric image.

E. Fingerprints

1. The detainee is fingerprinted if they are a juvenile or an adult who is going to be ROR'd. The fingerprint cards may be filled out either manually or with the computer and printer. (Instructions for use are on the detention bulletin board).
2. If a juvenile is charged with a crime that is not a felony or a misdemeanor listed in [985.212 FSS](#), the fingerprint cards will be marked "Juvenile Confidential" and forwarded to the Identification Unit for secure processing.
3. All fingerprint cards are processed and maintained by the Identification Unit in the Criminal Investigations Section.

F. Disposition - The detainee either is released with a Notice to Appear, or is transferred to the Brevard County Sheriff's Office. Property is transferred or returned.

G. Paperwork

1. The below-listed required forms will be completed when processing a detainee in the detention facility. It is the responsibility of the arresting officer to ensure that all the required forms are completed correctly.
2. The Desk Booking Specialist may assist the arresting officer with the completion of the paperwork, with the exception of the probable cause narrative and signature. The on-duty supervisor will review and notarize the

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charging document. In exceptional situations where the on-duty supervisor is not available, another sworn officer may notarize the charging document (923.01), or the DUI refusal form, **with telephonic or radio approval of the on-duty supervisor.**

3. The Desk Booking Specialist or the officer will be responsible to verify the detainee's booking package includes the following:
 - a. Arrest Information
 - b. Apparent physical and mental conditions to include current health, medications taken, any medical conditions, any unusual, strange, or violent behavior, any body deformities, scars, tattoos, and/or trauma. Prisoners expressing suicidal tendencies will be documented on the 923.01 (arrest document), and brought to the attention of the jail intake officer. Critical medication needs will also be documented and brought to the attention of the jail intake officer.
 - c. Property inventoried/disposition.
 - d. Fingerprint cards (if necessary).

H. Required Forms

1. 923.01 Charging Document (incarceration or release);
2. 923.01 Narrative Continuation (if required);
3. Fingerprint Card (if they are a juvenile or an adult who is going to be ROR'd);
4. Palm Print Sheet (if they are a juvenile or an adult who is going to be ROR'd);
5. Prisoner Property Form;
 - a. Property Receipt;
 - b. Cash Envelope (if necessary);
 - c. Property Bag;

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d. BCSO Jail Complex Booking Intake Information form;

6. Warrant or TICO confirmation;
7. If the prisoner has property that cannot be sent to Sharpes with them and must be held for safekeeping at the Agency, a [Prisoner Property Receipt](#) will be completed. The original copy will be turned into Records, one copy with the property to Property and Evidence and one copy sent with the prisoner to Sharpes.

I. Property- see 211.4 A J. Juveniles

1. Unless co-offenders, juvenile detainees will be processed separately from adult detainees. Juveniles and adult prisoners will not be in regular contact sight and sound of each other at time of processing.
2. Juveniles will not be housed with adults unless both or all were arrested during the same investigation and/or offense.
3. When juveniles are arrested, the DBS and/or arresting officer will immediately notify DJJ-JDC and the juvenile's legal parent/guardian, unless the detained youth is transported directly to the Juvenile Assessment Center (JAC).

K. Identification

1. Prior to accepting or releasing any detainee to personnel of another agency who are not in uniform or readily identifiable, positive identification and authority will be obtained. Positive identification will consist of an identification card with picture ID and a badge. ID cards with no picture require verbal verification from the individual's agency.
2. Positive identification of the detainee will be made before release. If the detainee cannot be positively identified, he/she will be transferred to the Brevard County Detention Facility until identification can be established. Officers will take every precaution to ensure the proper detainee is released. A government-issued document containing a photograph of the detainee will be considered positive identification. Juveniles without government identification documents may be released to a parent who verifies the juvenile's identity.

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L. Prisoner Rights

1. Detainees will be transferred to a BCSO facility as soon as practical to allow them the opportunity to post bond and/or appear in court. The maximum capacity of the holding area is **10**.
2. In cases of mass arrest, overload will be transferred directly to the Brevard County Detention Facility for booking.
3. Prisoners will not be allowed to have visitors while in the Agency's holding facility. Visitation may be arranged at the BCSO Jail.

M. Mail

1. Due to the short detention lengths, mail and/or packages will not be accepted.
2. Persons attempting delivery will be informed that the detainee will be released or transported within hours. The visitor should be informed exactly where the detainee will be taken.
3. If property must be accepted, it should be inventoried and receipted. Contraband will be seized, inventoried, and reported.

N. Emergency Procedures 1. Fire

- a. In the event of a fire, or fire alarm, the Fire Department will be notified via the Communications Section. The Communications Center will immediately initiate Emergency Traffic on the police radio frequencies and assign patrol units to the station to provide assistance.
- b. The supervisor will arrange for the immediate evacuation of detainees from the detention facility.
- c. Detainees will be handcuffed and escorted to the secured sally port until they can be secured in the Prisoner Transport Van or patrol vehicle(s).
- d. In case of fire the arrestees will be transported to Brevard County Sheriff's Office by uniformed officers on duty.

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2. **Escape** - Refer to section [GO 211.2H](#)

3. **Natural Disaster** - In the event of a natural disaster or any condition that would affect the health of prisoners, it will be the responsibility of the on duty supervisor to provide for the safety of members within the detention facility. The supervisor may implement measures consistent with these safety considerations.

- O. Mass Arrest Procedures** - Mass arrest situations occur when more than 10 people have been arrested and are in the custody of the Agency. The holding capacity of the detention area is 10 prisoners. A supervisor will ensure these procedures are followed:
 1. DBS or the custodial officer will inform dispatch when the holding capacity of the detention area has been reached.
 2. Additional arrests will be routed directly to the Brevard County Sheriff's Office for processing. If it is necessary for investigative purposes to bring an additional prisoner to the Agency's holding facility, the supervisor will ensure another prisoner in the holding facility is immediately removed and transported to the Brevard County Sheriff's Office.
 3. Prisoner Transport Vans can be utilized when multiple-prisoners from a singular incident require transportation to the holding area or to the Brevard County Jail.
 4. Any time there are 10 prisoners in the holding area and cells, the supervisor will ensure there are a minimum of 3 officers or DBS present in the holding area to monitor the prisoners.
 5. The supervisor will initiate a plan to reduce prisoner capacity immediately. The plan may include:
 - a. Notify the Brevard County Sheriff's Office of pending transfers of the number of prisoners.
 - b. The immediate transport of several prisoners to the Brevard County Jail.
 - c. Request assistance from the Brevard County Jail transport division.

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d. Divert new prisoners directly to the County Jail.

e. Make staffing arrangements so that a minimum of 3 officers are present in the holding area to monitor and control prisoners.

211.5 Interview Rooms

A. In certain instances, it may be necessary to interview prisoners or otherwise conduct custodial interrogations. The Agency has an approved interview room for this purpose. This room is designed to provide short-term security of prisoners in an atmosphere more conducive to interviewing. The interview room is located near the Criminal Investigations Division. No prisoner interviews will be conducted in the cells. If an interview is conducted in, or relocated to, the sally port area:

1. The interviewing officer will obtain permission from a supervisor first,
2. The prisoner will be shackled,
3. The gates will be lowered,
4. A second officer or Desk Booking Officer will be present, and,
5. The interview and all contact with the prisoner will be audio recorded, as well as conducted in a location captured by the sally port video.

B. Facility - The interview room is equipped as follows:

1. An optional eyebolt, bolted to the floor, or wall of the room.
2. Audio and video capability in order to record the interview.

C. Procedure

1. The Agency does not allow prisoners to be secured in an interview room without continuous supervision. This includes any time during the interview and until the prisoner is returned to the holding area or released.
2. Any sworn member may utilize the interview room to interview prisoners.

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3. A sworn member who utilizes the interview room to interview prisoners will have another member either sworn or a Desk Booking Specialist present during the transfer from the holding area to the interview room.
 - a. Prisoners will be searched prior to transfer to an interview room.
 - b. Non-custodial suspects will be advised that if they are carrying any type of weapon(s) that it cannot be allowed in the Interview Room. If the nature of the investigation and/or criminal history of the suspect indicate prior violent tendency and/or weapon offenses, the suspect should be frisked for weapons only.
 - c. Prisoners who are violent will not be placed in an interview room.
4. While the prisoner is in the interview room a sworn officer or Desk Booking Specialist will remain immediately outside the door, or monitor via closed circuit television to assist in case of emergency. A prisoner being temporarily detained in an interview room will be provided access to water, restrooms, or other needs when requested by the prisoner. These will be provided in a timely manner.
5. No more than one prisoner may occupy an interview room at one time.
 - a. Prisoners while being transferred from the holding area to the interview room will have their ankles shackled prior to transfer and will remain shackled until returned to the holding area. Civilian employees and volunteers should not be allowed in the area during transfer. Prisoners with disabilities preventing their ankles from being shackled will be handcuffed and the **belly belt** utilized.
 - b. Officers shall use the installed eyebolt in the interview rooms to further secure prisoners.
6. The assisting officer or Desk Booking Specialist will have their Agency issued portable communications set with them at all times. Emergencies, such as escapes, fires, etc., will be handled according to this General Order.
7. Officers who utilize an interview room for prisoners will not have firearms or knives on their persons. These items should be secured in gun lockers.

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- a. Officers should be cognizant of tools and equipment in the room being used as weapons. These items include, but are not limited to chairs, tables, pens, etc.
 - b. Officers should be cognizant of other less-lethal weapons they may have on their persons such as Taser, chemical agent, asp, etc. and remain cautious to prevent access to these items by the prisoner.
 8. At the conclusion of the interview, the sworn member who conducted the interview and another officer or Desk Booking Specialist will escort the arrestee back to the detention facility where they will be searched prior to being placed back inside the cell.
- D. Training** - Members authorized to use an interview room to interview prisoners will be trained in the use of audio/video equipment and this General Order prior to use.

211.6 Prisoner Transport Van Procedures

A. General Usage Provisions - The prisoner transport vans are specially equipped vehicles authorized by the Agency for transporting prisoners from the field to the Agency's temporary detention facility, the Brevard County Sheriff Office's detention facility or the Juvenile Detention Center.

B. Instructions, Conditions and Limitations of Usage

1. Only sworn officers and Desk Booking Specialists II are authorized to operate prisoner transport vans. Applicable provisions of this directive and Desk Booking Specialist Duties [GO 503](#) will be followed as the provisions relate to Prisoner Care and security. Prior to use, authorized operators will be familiar with this directive and any additional training or procedures necessary to the operation of the prisoner transport van. Training will be completed on each operator prior to authorized use of the van. The completed training roster will be forwarded to the Training Section for record tracking.
2. Prisoner transport vans are to be operated by sworn officers or Desk Booking Specialists II in the "Routine" response mode as defined in Emergency Vehicle Operations GO 213. They are equipped with emergency lights and siren but operation in the "Emergency" or "Urgent" response mode is prohibited, especially with prisoners as passengers, unless exigent circumstances reasonably dictate a need to operate as such

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and with prior approval from a Uniform Services Division on-duty field supervisor.

3. Transport vans are not to be utilized as pursuit vehicles.
4. Transport vans are not to be utilized for traffic enforcement and vehicle stops **unless** the nature of the traffic violation is an immediate hazard to the public (e.g. dangerous DUI driver), **and** a request via police radio determines that there is no patrol officer in the area to conduct the stop, **and** there is a sworn officer operating the van.
5. Prisoners who are suicidal, injured, unruly, display violent tendencies and/or are known to be an escape risk will not be transported with other prisoners.
6. Sick, disabled, or injured prisoners will not be transported with other prisoners.
7. The transport van is set up to transport both male and female prisoners. The rear compartment is designed to hold eight prisoners. The side compartment is designed to hold two prisoners. **Transportation of adults and juveniles together will not be permitted.**
8. The transport van will be searched before and after transporting prisoners. Any contraband found is to be documented in a report and submitted to Property and Evidence. If it is known which prisoner had possession of the contraband, an additional charge will be added to the arrest report. Otherwise, the contraband will be sent for destruction by Property and Evidence.
9. The transport van is equipped with a Department Radio, emergency red/blue lights, siren and PA system. The van is equipped with a 10 prisoner, (4 point shackles), restraint system. The restraints are to be kept inside the metal box next to the driver's seat. After the prisoners have been transported, the operator will ensure that the restraints are clean and returned to the box. Additional equipment in the transport van is listed as follows and will be included on the [Vehicle Equipment Inspection Form](#):
 - a. CPR resuscitation mask and first aid kit.
 - b. Fire Extinguisher.
 - c. Flashlight.

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d. Personal Protection Equipment.

10. The [Vehicle Equipment Inspection Form](#) must be completed each time the van is used.

C. Authorization for Use in Various Situations

1. The prisoner transport van may be used for mass arrest transports at special events and enforcement details, civil disorders and any other situation where multiple prisoners must be transported whether in the City of Palm Bay or as a mutual aid request from another law enforcement agency with the approval of a Uniform Services Division field supervisor.
2. In a case of a disaster or State of Emergency, prisoner transport vans may be used to evacuate and/or transport people from dangerous areas. Evacuation use must be approved by a Uniforms Services Division command staff member, or designee.

D. Maintenance Responsibility

1. General maintenance of transport vans is the responsibility of Desk Booking Specialist II personnel. The Uniform Services Division Commander, or designee, will conduct an inspection of all transport vans as part of the Quarterly Inspection procedure. The inspection will include equipment accountability in all transport vans. Mechanical repairs and scheduled periodic maintenance will be done by the City Fleet Maintenance Department as arranged by the Desk Booking Specialist II personnel.
2. After use, the operator of the transport van will fill the gas tank. If the operator finds anything wrong with the vehicle, the operator will notify the on-duty patrol supervisor who will arrange repairs through a Desk Booking Specialist II.

PALM BAY POLICE DEPARTMENT GENERAL ORDER

Subject: Crisis Intervention and Protective Custody

Order No: 212

Rescinds: GO212 Protective Custody

**Replaces:
09/25/06
Revision**

**CFA 5th:
2.02**

**Revised Date:
7/9/15**

Reference: FSS 394.455(3), 394.459, 394.462, 394.463, Baker Act Form, GO 410,

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212.3	Medical Clearance
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212 Policy

The Agency employs a Crisis Intervention Team (CIT), composed of members specially trained in dealing with the mentally ill. The Agency will use, whenever possible, CIT officers when dealing with the mentally ill and mental disturbance crisis events. However, all officers are responsible to employ crisis intervention skills when dealing with citizens in crisis.

212.1 Mental Illness - Mental illness is the impairment of mental or emotional processes that exercise conscious control of someone's actions and the ability to perceive or understand reality is impaired, which substantially interferes with a person's ability to meet the ordinary demands of living. Mental illness is comprised of a range of conditions, each with its own specific characteristics including:

- A.** Schizophrenia
- B.** Bipolar Disorder, (manic depression)
- C.** Major Depression
- D.** Schizo - Affective Disorder
- E.** Panic Disorder

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F. Obsessive-Compulsive Personality Disorder

G. Other mental illness as defined in the Diagnostic and Statistical Manual of Mental Disorders that can cause disturbances in thinking, feeling, and relating with others or their environment.

212.2 Baker Act [394.455 FSS](#) [394.463 FSS](#)

A. Uniform Procedures - Agency members will respect the individual dignity of persons suffering from emotional or mental disorders. This section establishes uniform procedures for the safe handling and transportation of people voluntarily or involuntarily taken to a receiving facility.

B. Voluntary Admissions - Voluntary admissions involve people who are suffering from mental illness and are requesting help or admission into a receiving facility. Officers are responsible to assist family members and/or the person seeking help. A Baker Act form is not required. If family members or an ambulance is not available to transport the subject to a receiving facility, officers may provide transportation after receiving approval from a supervisor.

C. Involuntary Admissions - Involuntary admissions involve people who are suffering from mental illness and after being advised of their condition, refuse voluntary admission into a receiving facility or are unable to determine if an examination is necessary. Officers must be able to articulate the person is one of the following:

1. Without care or treatment the subject is likely to suffer from neglect or refuse to care for him/herself, and such neglect or refusal poses a real and present threat of substantial harm to his/her well-being and it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services; OR
2. There is substantial likelihood that in the near future said person will inflict serious harm on him/herself or another person, as evidenced by recent behavior causing, attempting or threatening such harm.

D. Admission with Minor Criminal Conduct - Persons who meet the criteria for an involuntary examination but who also have minor criminal charges pending as a result of officer/subject contact will take the subject to a receiving facility [394.46 FSS](#). Pending **minor** criminal charges will be filed as a capias request with the State Attorney's Office.

E. Major Criminal Conduct - Felony criminal charges or violent criminal conduct of people who meet the criteria for the Baker Act, but who have

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committed a felony criminal offense or have committed a violent criminal act will be arrested and transported to the county jail for incarceration. The Baker Act will be completed and delivered with the prisoner upon transfer to BCSO. The officer turning the subject over will specifically advise the receiving officer from BCSO of the existence of the Baker Act.

F. Juvenile Admissions - Juveniles who meet the criteria in this section must be admitted under the Baker Act. Juveniles will be processed for criminal charges as directed by the Department of Juvenile Justice.

G. Baker Act Form

1. Officers who take an involuntarily person into a receiving facility must complete the Baker Act Form.
2. Officers are not required to personally witness the behavior or actions of persons being admitted. However, to complete an involuntary admission, officers must base their action on credible eyewitness accounts from others that meet the criteria.
3. Officers will transport or cause to be transported persons meeting this criteria to the nearest receiving facility. The closest receiving facility to the Department is Circles of Care in Melbourne. Coastal Ambulance may be utilized for the actual transport to the receiving facility if they are available and the transportation is efficient.
4. Upon arrival at the receiving facility, officers will remain with the person until an intake healthcare worker relieves them.
 - a. The original Baker Act Form is transferred to the receiving facility upon arrival.
 - b. A copy of the Baker Act Form will accompany the officers Incident Report.

212.3 Medical Clearance - Officers will follow the appropriate provisions for Medical Transports in Arrests, Stops and Frisks [General Order 210.6K](#) on all persons placed in protective custody that are in need of medical treatment and clearance.

212.4 Protective Custody - [OMA 502.28](#)

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Emergency Vehicle Operations	Order No: 213	
Rescinds: GO213 EVOC	CFA 5th: 14.06, 14.07, 14.08	Revised Date: 03/18/06
Reference: GO 407		

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213	<u>Policy</u>
213.1	<u>Equipment</u>
213.2	<u>Procedures</u>

213 Policy

The Agency will equip all marked police vehicles with emergency lighting, siren, and other emergency equipment. This equipment enables the Agency to expeditiously respond to emergency calls for service. The Agency authorizes the use of emergency lighting and siren equipment in circumstances requiring safe and efficient response. The safe operation of emergency vehicles is critical to public and officer safety. Emergency vehicle operations will not cause a greater threat to public safety than the response to the emergency.

213.1 Equipment

A. Required Equipment - Every marked police vehicle will be equipment with the following:

1. Emergency (red/blue), lights and siren in operational order.
2. Fire extinguisher
3. Flashlight
4. First aid kit
5. Personal protective equipment

B. Other Vehicles - All other vehicles which are properly and operationally equipped as in **A1** may participate in emergency responses.

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213.2 Procedures

A. Determination of Response Mode - The decision to engage in anything other than a routine response must rest with the officer. Each officer will respond to calls for service in a manner consistent with the type of call and whether the call is "not in progress", "just occurred", or "in progress". Other pertinent factors to be considered are:

1. The nature of the offense, the probability of the offense escalating, and the probability of apprehending the violator.
2. Traffic/Pedestrian congestion.
3. Road conditions.
4. Weather and visibility.
5. Proximity to the call and the availability of other responding officers.
6. Any other special hazards (school zones, condition of the police vehicle, etc.).

B. Types of Responses

1. Routine

- a. Most "not in progress" calls would dictate a routine response.
- b. Obey posted speed limits.
- c. Obey all traffic control devices.

2. Urgent

- a. Officers will respond at a speed that is reasonable and prudent under the circumstances and conditions present.
- b. The officer will warn all other traffic with an audible signal (siren or horn), and a visible signal by use of displayed blue and/or red lights.
- c. Use of the lights and/or siren may be discontinued when arriving in the area of a call that dictates not announcing a police presence. At that time, speed limits and traffic control devices will be obeyed.

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- d. No police vehicle is to proceed through a red light, stop sign, or an intersection without first making sure it is safe to do so. The vehicle must be exhibiting its emergency lights and siren.
- e. Officers should remember they must get to the call as safely as possible. An urgent or emergency response does not automatically authorize excessive speed. Many such responses may call for normal driving speeds with the use of emergency lights and siren to request the right of way and warn other drivers. Quick response is often dependent upon route selection rather than the speed of the vehicle.
- f. Only sworn officers will operate a police vehicle in an "urgent" or "emergency" mode.
- g. Members responding to any call for service in this manner will advise the communications center that they are "10-18."

3. Emergency

- a. Officers will use an emergency response where death or great bodily harm is imminent, an officer has called for emergency assistance or when engaged in a pursuit.
- b. All the guidelines for an "urgent" response will be followed except the vehicle must use emergency lights and siren at all times.
- c. Members responding in this manner will advise the communications center that they are "10-18."

C. Discontinuation of Urgent or Emergency Responses

- 1. Officers should not feel compelled to continue an urgent or emergency response when conditions change to a degree which places the safety of the officer or others in extreme jeopardy.
- 2. Patrol supervisors may terminate an officer's urgent or emergency response if he deems it inappropriate.
- 3. Emergency escorts of private vehicles are prohibited. See Traffic Control [GO 507](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Vehicle Pursuits	Order No: 214	
Rescinds: GO 214 Revised: 09/06/16	CFA 5th: 14.05, 14.07	Revised: 08/29/18
Reference: City of Pinellas Park v. Brown, 604 So.2d 1222 (Fla. Sup. Ct., 1992)		

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214 Policy

- A.** The Agency considers public safety its paramount concern. Therefore, vehicle pursuits will be initiated and continued only when necessary to apprehend suspects who pose an imminent and serious danger to the public or serious emergency if left at large and such pursuit does not create a greater threat of harm to the public.
- B.** Before engaging and continuing in a vehicle pursuit, an officer must have **probable cause** and a factual basis to believe the vehicle occupants have committed a violent felony as defined by this policy. Vehicle pursuits for other felonies, misdemeanors or traffic violations are not authorized.

214.1 Definitions

- A. Vehicle Pursuit** - A vehicle pursuit is an active and continual attempt by a law enforcement officer in a marked patrol car to apprehend the occupants of another moving vehicle when the driver of such other vehicle is, or should be, aware of the officer's intent and is actively resisting apprehension by increasing speed or by evading the officer's attempt to stop the vehicle. An attempt to

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conduct a routine traffic stop wherein the violator fails to stop but is not driving in an inherently unsafe manner or using excessive speed is not considered a pursuit for purposes of this policy.

B. Violent Felony - Those listed under this category include: murder, armed robbery, armed sexual battery, kidnapping, carjacking by use of deadly weapon, burglary to an occupied structure when the officer has **probable cause** to believe the suspect is armed with a deadly weapon, arson, use or discharge of an explosive device or firearm in or about an occupied structure, or any other felony involving the use, or threatened use, of deadly force.

C. Vehicle Disabling Devices - Designed as a tire deflation device used to assist in stopping vehicles refusing to comply with an officer's request to stop. The use of these devices is not considered deadly force. **Supervisory approval must be obtained prior to their utilization.**

214.2 Procedures

A. Initiation of Pursuit - The decision to initiate and to continue a pursuit must be based upon the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger, or serious emergency to the public should the fleeing suspect remain at large. Prior to initiating a pursuit, the officer must have **probable cause** and a factual basis to believe the fleeing suspects have committed or are committing a violent felony. **Pursuits will not be continued without the express verbal authorization of a supervisor.**

B. Factors to Consider Before Initiating a Pursuit:

1. The nature of the offense and the probability of apprehending the violator later.
2. Traffic congestion, multiple traffic signals at intersections, pedestrian traffic, schools, and congested business areas.
3. Environmental conditions such as weather, visibility, road conditions, time of day, etc.
4. Driving actions or omissions of suspect vehicle in traffic.

C. Rules Governing Pursuits

1. Only police vehicles fully equipped with operable emergency lights and siren may be used for the duration of a pursuit. Unmarked vehicles will relinquish the pursuit to a marked patrol car as soon as possible.

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Motorcycles are not authorized to be utilized in a pursuit absent exigent circumstances and supervisor approval.

2. Unless expressly authorized by a field supervisor, pursuits are limited to one primary and one backup unit. Pursuing on parallel streets or proceeding in "caravan" style" (more than two pursuit units behind the fleeing vehicle), unless approved by the supervisor, is strictly prohibited. The supervisor or on-duty commander may also proceed with the authorized units.
3. Officers should stay in the correct lane of traffic. Officers who must pursue in the oncoming lane of traffic will proceed with due care to traffic congestion and conditions.
4. Communications Center personnel and other operational units, other than supervisory personnel, will refrain from transmitting on the radio so that the supervisor and the pursuing officers can coordinate the pursuit.
5. Vehicle Disabling Devices
 - a. Vehicle-disabling devices **will not** be deployed to terminate motorcycle or ATV pursuits.
 - b. Vehicle-disabling devices **will not** be deployed on any moving vehicle for any crimes other than what is defined in 214.1 (B).
 - c. Vehicle disabling devices **may** be used on vehicles not in motion to prevent the suspect from leaving the scene and with supervisor approval (ex. A vehicle in the driveway of a barricaded subject).
6. Traffic Regulations in a Pursuit
 - a. Each unit authorized to engage in vehicular pursuit will be required to activate headlights and all emergency vehicle equipment prior to beginning the pursuit.
 - b. Officers engaged in the pursuit will at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
 - c. Officers are permitted to suspend conformance with normal traffic regulations during pursuit as long as reasonable care is used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect.

214.3 Responsibilities

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A. Pursuit Officer

1. Whenever possible, officers will immediately obtain the license plate number and vehicle description before activating emergency lights or siren.
2. Use of emergency lights, siren, and headlights are required. Officers will not use the emergency four-way flashers while the vehicle is in motion. Any officer involved in the pursuit in any way who is operating a vehicle with an in-car video recording system, must record their entire involvement. At the termination of the pursuit, a copy of the video must be provided to the Division Commander or Lieutenant and the original recording turned in to the Property and Evidence Unit with proper documentation.
3. Upon initiating a pursuit, the officer will immediately request emergency radio traffic and will promptly provide the following information to the Communications Center:
 - a. The officer is engaged in a vehicle pursuit and the nature of the offense.
 - b. The location, direction of travel, and speed of fleeing vehicle.
 - c. A description of the pursued vehicle and the occupants.
 - d. The vehicle tag number and the state of issue.
 - e. Critical evolving factors such as pursued vehicle speed(s), road condition, weather conditions, traffic congestion and observed recklessness of the pursued vehicle, such as lights out, running red lights, wrong way in a lane, leaving roadway, other vehicles being forced from roadways, difficulty controlling vehicles, etc.
 - f. Whether the pursuit is in, or is entering into, residential or school neighborhoods.
 - g. Failure to transmit the above information immediately will be cause for a supervisor to terminate the pursuit.
 - h. The pursuing officer or backup unit will continually relay information regarding changing conditions and behavior of the suspect vehicle.
 - i. Officers will maintain safe and reasonable control of their vehicles at all times while adhering to State Statutes governing the operation of emergency vehicles. Officers may proceed through intersections only when it is safe to do so, with due regard being given to the safety of all persons using the highway.

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- j. Officers will at all times maintain a safe following distance, allowing ample room for sudden stops and changes of direction.
- k. Any primary or backup unit sustaining damage to, or the failure of essential vehicular emergency equipment during pursuit, will not be permitted to continue in the pursuit. The unit will notify the Communications Center so that another unit may be assigned to the pursuit.
- l. When instructed to terminate a pursuit, officers will immediately do the following: decrease their speed, discontinue the pursuit, turn off their emergency equipment, break visual contact with the vehicle, immediately proceed in an opposite direction and travel away from the vehicle. Moreover, officers will immediately notify the field supervisor and Communications Center the pursuit has been discontinued, and verbally note both the exact time the pursuit was terminated as well as a specific geographical location that the pursuit was discontinued, e.g. intersection, cross streets, or block numbers.

B. Field Supervisor

- 1. Upon notification that a vehicular pursuit incident is in progress, the field supervisor will assume responsibility for the monitoring and control of the pursuit as it progresses.
- 2. The field supervisor will continuously review the incoming information required in this directive to determine whether the pursuit should be continued or terminated.
- 3. In controlling the pursuit incident, the **field supervisor** will be responsible for coordination of the pursuit as follows:
 - a. Ensuring that the continuation of the pursuit complies with Agency policy.
 - b. Going toward the area of the pursuit to monitor and maintain control. The supervisor will not normally engage in a pursuit. Under exigent circumstances, however, the supervisor may act as a primary backup officer to the pursuing officer. If a supervisor initiates a pursuit, and a Division Commander or Lieutenant is on-duty, the commander will assume the supervisory responsibility for the pursuit.
 - c. Continuing or terminating the pursuit in accordance with Agency policy. NOTE: A pursuit may not continue without the express verbal acknowledgment and authorization of a sworn supervisor or commander.

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- d. Directing pursuit vehicles or air support units into or out of the pursuit.
 - e. Re-designation of primary, support or other backup vehicle responsibilities.
 - f. Approving or disapproving and coordinating pursuit tactics.
 - g. Announcing over the radio the pursuit has ended and all units must immediately discontinue the pursuit.
 - h. Approving or disapproving continuation of the pursuit outside the city limits.
4. The field supervisor may approve and assign additional backup vehicles or air support units to assist the primary and backup pursuit vehicles based on an analysis of:
- a. The nature of the offense for which pursuit was initiated.
 - b. The number of suspects and any known propensity for violence.
 - c. The number of officers in the pursuit vehicles.
 - d. Any damage or injuries to the assigned primary and backup vehicle or officers.
 - e. The number of officers necessary to make an arrest at the conclusion of the pursuit.
 - f. Any other clear and communicated facts that would warrant the increased hazards caused by numerous pursuit vehicles.

C. Communications Center

- 1. The Communications Center personnel actions will be directed by the Communications Center Operations General Order, [GO 302](#), in regards to Emergency Traffic.
- 2. Communications personnel will carry out the following activities and responsibilities during the pursuit:
 - a. Receive and record all incoming information on the pursuit and the pursued vehicle.

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- b. Control all radio communications and clear the radio channels of all non-emergency calls.
- c. Obtain criminal record and vehicle checks of the suspects.
- d. Communications personnel will comply with orders, requests or directions of the supervisor in control of the pursuit or the on-duty commander. Such orders, requests or directions will override any conflict with any other directive affecting the Communications Center.

214.4 Termination of Pursuits

A. Authority to Terminate - A decision to terminate pursuit may be the most rational means of preserving the lives and property of the public, the officers, and the suspects engaged in the pursuit. The pursuing officer, the field supervisor or commanding officer may terminate pursuits.

B. Grounds to Terminate Pursuit - Pursuits will be immediately terminated when:

1. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile.
2. Factors substantially increase or change and the immediate danger posed by continued pursuit to the public, officers, or suspects are greater than the value of apprehending the suspects.
3. The supervisor cannot be immediately contacted or when radio communication is lost between the Communications Center and the pursuing units.
4. The pursuing units fail to immediately provide pertinent information as required by policy.
5. Offenses do not meet the requirements of paragraph 214.2(A), with officers attempting to conduct traffic enforcement, or to apprehend occupants of a moving vehicle for offenses that do not meet the requirements of 214.2(A), shall immediately terminate their efforts the moment it becomes evident that the driver of the vehicle is actively resisting apprehension by increasing speed or by evading the officer's attempt to stop the vehicle. At that time the officer will immediately cease their efforts, turn off their emergency equipment break visual contact with the vehicle, proceed in an opposite direction and travel away from that vehicle. Additionally, officers will immediately notify the supervisor and Communications Center of the event.

214.5 Inter-Jurisdictional Pursuits

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A. Initiated by the Department

1. Continuation of pursuits outside the city limits of Palm Bay must have the approval of the field supervisor who has assumed responsibility for the pursuit.
2. The supervisor is responsible for requesting assistance from other agencies.
3. Whenever possible, the agency in whose jurisdiction the pursuit continues should be offered the option to assume the role of primary pursuing vehicle. The Palm Bay unit should continue the pursuit as backup providing that he/she maintains adherence to this directive's guidelines. If that agency declines to assume the role of primary pursuing vehicle, the Palm Bay supervisor will immediately decide whether to continue or terminate the pursuit.

B. Initiated by Another Agency

1. Any officer who becomes aware of a pursuit initiated by an outside agency that comes into the city limits of Palm Bay will notify the Communications Center **but will not participate unless:**
 - a. The other agency requests backup from the Agency and is pursuing a suspect under the same restrictive circumstances as provided in this directive.
 - b. The Agency on-duty commander or field supervisor authorizes participation through the Communications Center.
2. The extent of the Agency's participation in any other agency's pursuit will be strictly a supervisory decision based upon the criteria in this directive. The supervisor's decision to continue the pursuit will be based on the following criteria:
 - a. Seriousness of the crime.
 - b. Whether or not the originating agency verbally expresses, via the radio channel, that assistance is still requested. If the pursuit leaves the city limits of Palm Bay and the supervisor terminates the pursuit, all Palm Bay officers will immediately cease participation in the pursuit, immediately turn off their emergency equipment, break visual contact with the vehicle, proceed in an opposite direction and travel away from that vehicle.

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- c. Moreover, officers will immediately notify the supervisor and Communications Center that the pursuit has been discontinued, and verbally note both the exact time the pursuit was terminated, as well as a specific geographical location that the pursuit was discontinued, e.g., intersection, cross streets or block number.

214.6 High Risk Intervention - Controlled termination methods such as intentional collision or ramming or any other force which is likely to cause death or great bodily harm are considered **deadly force and are prohibited, unless** the officer reasonably believes the continued freedom of the suspect poses an imminent threat of death or great bodily harm to himself, other officers, or the public. That such force is necessary to prevent such imminent death or great bodily harm, and **the officer must receive verbal supervisory approval prior to executing the High Risk Intervention. Roadblocks, either fixed or moving, are strictly prohibited to terminate a pursuit.**

214.7 Administrative Review

- A. Written Report** - After termination of a pursuit and **before the end of their tour of duty**, the authorizing supervisor will prepare a comprehensive report in memo form on the pursuit, along with the primary officer's offense/incident report, and forward all to the Chief of Police, with copies to the Internal Affairs Unit and chain of command.
- B. Maintaining CAD and Video Recorded Evidence** - After termination of a pursuit and before the end of their tour of duty, the supervisor who authorizes any vehicle pursuit will ensure that steps are taken to secure any and all CAD dispatch or radio traffic audio recordings of that pursuit incident as well as any video recording, or other evidence involved. All such evidence will be maintained and will not be destroyed for a minimum period of four years thereafter.

214.8 Training

- A.** All newly hired officers will be required to complete Emergency Vehicle Operations and Vehicle Pursuit training prior to assignment.
- B.** All sworn officers will be required to complete Emergency Vehicle Operations and Vehicle Pursuit training biennially.

PALM BAY POLICE DEPARTMENT GENERAL ORDER

Subject: Critical Incidents

Order No: 215

Rescinds: GO 215 Revised: 05/05/15

**CFA 5th: 15.09, 17.01,
17.04, 17.06**

**Revised Date:
01/19/17**

Reference: Incident Command System OM A215, CSPADE, Manual, High Risk Call Checklist, GO 216, 217, 302, 501, 509, 801, Attachment A.

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215 Policy

The Agency will initiate and manage tactical responses that stabilize or neutralize an imminent threat of death or bodily harm to innocent bystanders. A response that is safe, immediate and endeavors to stabilize and de-escalate high-risk situations is the objective. The Agency's highest priority is always the preservation of human life and police operations will function according to this philosophy. It is the policy of the Agency to manage critical incidents through proper training of personnel, written procedures, planning, and deployment and coordination of available personnel, equipment and other resources.

215.1 Definitions

- A. Command/Incident Commander** - The officer or supervisor who is authorized to manage an incident. The person identified as Command will direct all manpower and equipment.
- B. Critical Incident** - A situation wherein the initial information is sufficient to cause a reasonable belief that a threat to human life is imminent. In these types of incidents, the field supervisor and/or Uniform Services Division (USD), Commander or Lieutenant will respond to assume control and command to ensure effectiveness and efficiency.

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- C. CSPADE** - CSPADE is a strategic response process utilized on in-progress calls where the criteria dictate a possible or actual critical incident. CSPADE provides for tactical handling of the call based on training in the coordination of tactical deployment, scene/suspect control and proven de-escalation or threat neutralization techniques. CSPADE stands for Communicate and Coordinate, Stage, Plan, Assign, Deploy and Execute. [GO 501](#)
- D. Tactical Critical Incident** - An incident where there is significant threat to life or property that requires the utilization of specialized teams. Such incidents will be handled according to this policy and the Incident Command System. [OMA 215](#)
- E. Tactical Critical Incident Group** - The teams and personnel designated as the Tactical Critical Incident Group will be as follows:
1. Special Weapons and Tactics Team [GO 216](#)
 2. Crisis Negotiations Team [GO 217](#)
 3. Canine Unit [GO 509](#)
 4. Command Post Team [OMA 511](#)
 5. Tactical Incident Commanders, as designated by the Chief of Police.
- F. Unified Command** - Unified command is a team effort process, allowing all agencies with geographical or functional responsibility for an incident.

215.2 Critical Incidents - Critical Incidents include, but are not limited to the following:

- A.** Armed persons (aggravated assault, aggravated battery, homicide, attempted homicide, shots fired with person still in the area).
- B.** Bomb calls, when an actual device is located.
- C.** Armed robbery where the subject is believed to still be in the area, including situations in which a weapon is not seen by the victim but is implied by the perpetrator.
- D.** Sexual battery in progress.
- E.** Kidnapping or hostage situation.
- F.** Riot or civil disturbance.

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- G. Vehicle pursuit or high-risk traffic stops.
- H. Barricaded suspect.
- I. Mutual aid request from another agency involving any of the above.
- J. Hazardous materials, (HAZMAT), Biohazard, or other Weapon of Mass Destruction.
- K. Any incident in which a member has used deadly force, intentionally or otherwise, or has been the victim of any deadly force situation.

215.3 High Risk Call Responsibilities

A. The Communications Center [GO 302](#) - will be responsible for the following:

1. When a high-risk situation is reported through the 911-telephone system, the 911 operator will initiate a call for service.
2. When a high-risk situation is reported by an officer over the radio, and staffing in the Communications Center permits, the situation will be coordinated between the radio operator and the Communications Center supervisor. The Communications Center supervisor will supervise the coordination of communications personnel to address the incident.
3. When staffing levels and workloads permit, at least two 911 operators will handle the phone call. One operator will speak with the caller; the second operator will record information and act as an intelligence contact with the radio operator. The second 911 operator will monitor the radio group on which the officers assigned to the incident are communicating. Whenever practicable, the radio operator should monitor the phone call. Whenever possible, a recorded telephone line should be used.
4. The radio operator will activate the emergency radio traffic alert tone and announce there is 10-33 traffic. Normally, one radio operator should be assigned to one high-risk situation at a time.
5. The radio operator will dispatch at least two officers and will notify the field supervisor.
6. All radio traffic **not** related to the critical incident will be transferred to an alternate radio group.
7. The 911-operator team will assess the call based on the questions provided in the 911 high-risk call taker guidelines.

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8. When resources from outside agencies assist during a critical incident, all participating personnel will utilize a common radio channel, designated by Command, to facilitate communication.
9. At the USD supervisor's request, the Communications supervisor will forward him typed or written documentation, and tape recordings for inclusion with the case report.

B. Responsibilities of the Responding Officers

1. As emergency radio traffic (10-33) is designated, the officers should pull to the side of the road so that they can safely copy the radio traffic. At this time the officers will disable the scan mode on their radios.
2. The officers will respond to the designated staging area, if applicable, or to the area of responsibility as directed by Command.
3. The officers will relay all pertinent information to the supervisor concerning the target location and target occupants.
4. Only those officers assigned to the incident will respond unless directed to do so by Command.
5. Strict radio discipline will be followed. Those officers not assigned to the call will not:
 - a. Transmit on the radio group designated for emergency radio traffic unless directed to do so (to include jumping onto the group to inform others of their locations).
 - b. Call the 911 radio operator via telephone to get information on the call (exception: supervisors, commanders, public information coordinator, or the Chief of Police).
6. Officers will use sound verbal de-escalating techniques to gain compliance with the suspect.
7. Officers will employ tactical techniques to take the suspect into custody using the minimum amount of force needed to gain compliance.
8. When responding to an incident involving explosives or bomb threats, officers should consider the possibility of a secondary device.
9. Response to HazMat and biohazard calls will be pre-planned and Personnel Protection Equipment may be necessary.

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10. Officers will complete all necessary paperwork by the end of tour of duty unless approved by the supervisor.

C. Responsibilities of the Officer-in Charge, (OIC), and Supervisor-in-Charge, (SIC)

1. Absent circumstances demanding otherwise, first responding officers and supervisors should promptly secure the scene and request response by the on-duty commander.
2. The Officer in Charge, (OIC), will immediately identify him/herself as Command, begin a response to the scene, and assign units to the incident until the SIC can respond to the scene.
3. Command will coordinate arriving vehicles, determining the safest route, distance and approach based on the type of critical incident.
4. Command will request emergency medical services respond and stage in the outer perimeter.
5. Upon arrival on the scene, coordinate an initial assessment of the situation. The OIC or the SIC will establish a suitable location for the command post. All members dealing with the critical incident will be made aware of the location of the command post.
6. Command assigns posts and duties for responding officers based on information provided by the complainants, witnesses, and the initial officers on the scene.
7. Command ensures that an inner/outer perimeter or cordon has immediately been established.
8. Officers will, in most incidents, use concealed deployment techniques to keep the subject contained; to ensure that police personnel and equipment remain out of the sight of the suspect, and to prevent civilians from entering the immediate area.
9. Command provides for the safety and evacuation of any civilians inside the threat zone, including injured persons, when it is safe to do so.
10. Command identifies and secures any persons who can supply pertinent information concerning the incident. Command ensures complainant is contacted directly by a responding unit (ideally in person or, if unsafe, by phone).

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11. If necessary, Command may request specialty units to respond to a staging area. BCSO Aviation Unit may provide surveillance of the incident location or of the suspect if he/she should escape the perimeter. Other surveillance equipment to consider is: listening devices, cameras, etc.
12. Command ensures that other required personnel have been notified, to include the Staff Duty Officer and the Division Commander if other than the Staff Duty Officer.
13. Command reports all actions to the USD supervisor when he/she arrives and relinquishes Command to the SIC upon his/her request.
14. The SIC, identified as Command, will assign personnel as follows:
 - a. The inner perimeter officers' primary responsibility is to contain the situation and to observe and report information from their posted positions. An officer will not move from his or her assigned post unless that position becomes unsafe or for the purpose of preserving life. Any officer who does move will notify the SIC of the relocation and the reason.
 - b. The SIC will assign one officer to communicate, open dialogue, and direct the high-risk subject(s) when, and if, contact is made. All other officers will restrict communications or commands directed at the subject(s) unless necessary to prevent escape or bodily harm to officers and bystanders.
 - c. The SIC will assign at least two officers (preferably not the communications officer) as a take-down team. The function of the take-down team is to neutralize the threat, safely immobilize the subject(s), and prevent escape. Their activities will be based on the circumstances of the situation, training guidelines and practices sanctioned by Agency policy, operating procedures, and state and federal law. A marked vehicle will be immediately available for transport or pursuit if necessary. When available, BCSO Aviation Unit will be used for surveillance. If personnel are available, travel routes will be controlled by deployment of stop sticks when appropriate.
 - d. The communications officer will assume a post security position on the structure as the take-down team immobilizes the subject(s). This is to provide security for the take-down team who may be subject to attack from other hostile subjects in the structure or conveyance.
 - e. If the suspect has surrendered and the SIC is reasonably certain that there are no other suspects inside, he will assign a minimum of two

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officers to effect a protective sweep of the structure or conveyance. A canine unit may be called to the scene to assist.

- f. If the suspect is believed to be armed with a firearm or explosive device and repeatedly refuses to come out, The Tactical Critical Incident Group (SWAT/CNT) will be called out. The USD and Division Commander will also be notified.
 - g. The SIC will not assign himself duties at the scene that would distract him from his primary role of managing the incident and directing his manpower and equipment. The SIC will place himself in a position where he can safely supervise the scene and be accessible to the on-duty commander. The SIC will have the authority to utilize, and direct other officers to use, the appropriate level of force that complies with Department policy as provided in the Use of Force [General Order 201](#).
 - h. If the event includes responding departments other than police, the IC should initiate a Unified Command.
15. The SIC will use CSPADE to effectively and efficiently track officers and actions during the incident.
 16. The SIC will coordinate the use of other resources, such as Fire/Rescue, Brevard County Sheriff Department (BCSO) Aviation Unit, BCSO Bomb Squad, Ambulance, CPT, and surveillance equipment. He will request mutual aid from neighboring law enforcement agencies if additional manpower is necessary.
 17. The USD Commander or SIC will arrange for a media control location to be established and maintained at the outer perimeter. The PIO will make contact at that location and release of information as soon as possible. The USD Commander or SIC may release the information. The information may also be released through the USD Commander, SIC, or designated member.

D. Responsibilities of the USD Commander

1. Upon arrival at the scene, the USD Commander will assume responsibility of the scene. The USD Commander will contact the SIC and obtain an overview of the incident to that point.
2. Based on the information known at the time, the USD Commander will start the following actions:

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- a. If the incident meets any of the criteria in Section 215.4 A, call-out the Tactical Critical Incident Group and notify the chain of command if it has not already been done by the SIC. If it is feasible and can be done safely, ensure that direct contact has been made with the complainant in person or by telephone.
 - b. Based on the totality of the circumstances, direct personnel pursuant to law, Agency directives and operating procedures.
 - c. Request mutual aid from other agencies based on the manpower needs of the situation.
 - d. If the situation is as described in Section 215.3C (f) or will be protracted, (longer than 60 minutes), the Incident Command System will be implemented pursuant to the Incident Command System [Operating Manual 215](#).
 - e. If an incident becomes mobile, the command post must become mobile. Command post functions do not change just because the situation changes from a stationary to a mobile position. If the mobile incident crosses jurisdictional boundaries, the command of the incident remains with the on-duty commander.
3. At the conclusion of the incident, the USD Commander will complete an After Action Report of the incident.

215.4 Tactical Critical Incidents

A. Criteria

1. The following situations **require** the on-duty commander to activate a call-out of the Tactical Critical Incident Group, (SWAT/CNT), notification to the Staff Duty Officer and initiate the Incident Command Policy:
 - a. Any situation involving hostages, including those in a mobile conveyance or in the open environment (wooded areas, fields, parking lots, etc.).
 - b. A barricaded or concealed suspect who is armed with a dangerous weapon, explosive or destructive device, and poses an immediate threat to the community, or other persons.
 - c. A barricaded or concealed suspect who has committed a violent felony crime, or has a history of committing violent felony crimes, when there is a reasonable belief based on fact that there is an immediate threat to the community, or other persons.

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- d. A suicidal person who has barricaded or concealed himself, is armed, and poses an imminent danger to others, by death or great bodily harm.
- e. The execution of any search warrant or other court order, requiring entry to a dwelling or structure to apprehend a person suspected of a violent felony crime or with a history of violent felony offenses.
- f. Assisting another agency in a forcible, non-consensual entry to execute an arrest warrant or other court order, on a person suspected of a violent felony crime or with a history of violent felony offenses. Officers may assist in the capacity of perimeter units, canine services or other support roles that do not involve the initial forcible entry.

B. Response

- 1. The Communications Center will be responsible for contacting personnel to respond as requested by the incident commander. Contact may be made via the established call out system or any other means necessary.
- 2. The officer assuming command of any such incident will identify himself and announce the same on the appropriate radio groups at the moment of assuming command. This is to be done by stating his ID number and the statement "Assuming incident command of the, (location), call." This is necessary to establish accountability, control and to give notice to the officers involved from whom they are to receive direction. The Communications Center will record this in CAD CFS comments.

C. Additional Responsibilities

- 1. During any such incident the OIC, SIC, and USD Commander are expected to direct officers and take any reasonable action necessary to contain, de-escalate and neutralize any and all threats based on the totality of the circumstances. There may be situations, such as school shootings, in which the threat to human lives may require officers take extraordinary risks in an attempt to locate and neutralize an on-going threat to innocent victims. Factors to be considered include, but are not limited to: the number of potential victims, number of suspected hostage takers, the capability of weapons and the delayed arrival of special resources and likelihood of success in making the rescue attempt without causing additional casualties.
- 2. Current case and statutory law requires some form of a court order, (usually a search warrant), to enter a dwelling, structure and some conveyances to apprehend or take custody of a person or property.

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Unless exigent circumstances exist, specifically an immediate threat to life, property or destruction of substantial evidence not otherwise recoverable, no entry will be made without some form of judicial authorization. Municipal police generally are not authorized to make forcible entry to execute an arrest warrant.

3. In the below listed incidents, the on-duty commander is **not** normally expected to activate the Tactical Critical Incident Group. However, the use of specially trained officers of the Crisis Negotiations Team should be called upon to facilitate custody without forcible, non-consensual entry. Canine teams may be used according to Agency policy as a resource to locate and apprehend threatening or wanted suspects. Canines cannot enter unless it is lawful for the police to make entry. The same is true with any other police intervention techniques or tactics such as introducing chemical agents, sending in robotic equipment, or employing listening devices.
 - a. An uncooperative, suicidal subject where there is no threat to others occupying the same dwelling or structure, and there are no firearms or other significant weapons present in the structure.
 - b. A barricaded suspect of any non-violent crime or violent misdemeanor offenses without any firearms present.
 - c. Any situation where there is an otherwise cooperative, unarmed suspect who is refusing to exit a dwelling, conveyance or structure, and there is **not** a reasonable belief of imminent threat to others or significant threat to property (e.g. arson, fire, etc.)

215.5 Critical Incident Management Plan Review - The USD Commander, or designee, is responsible for periodic review of this General Order for training needs and compliance with applicable legal updates and procedures.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: SWAT Operations	Order No: 216	
Rescinds: GO216 Revised: 03/16/17	CFA 5th: 17.04	Revised Date: 09/12/18
Reference: GO 201, 202, 203, 205, 215, 217, 410, 413, 776 FSS.		

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216 Policy

The Agency recognizes the utilization of a highly trained, highly skilled police tactical unit has been shown to substantially reduce the risk of injury or loss of life to citizens, police officers and suspects. A well-managed “team” response to critical incidents usually results in successful resolution to critical incidents. It is the intent of the Agency’s Special Weapons and Tactics Team (SWAT), to provide a highly trained and skilled tactical team as a resource for the Agency in the handling of high-risk situations.

216.1 Command and Control

- A. Team Commander** - The Team Commander reports to the Incident Commander in situations where the Incident Command System is activated and to the SWAT Team Administrative Commander for all other matters of business.
- B. Team Leaders** - Team Leaders report directly to the SWAT Commander.

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- C. Acting Team Leaders** - Acting Team Leaders are appointed by the Team Commander and Team Leaders when a Team Leader is absent or acting as the Team Commander in his absence.
- D. Sniper/Observers** - The Sniper/Observer members will report to the Sniper Team Leader or designee. The member will have a clear understanding who they are responsible to, prior to deployment.
- E. Utility Members** - Utility Team Members report directly to the Utility Team Leader or designee. The member will have a clear understanding who they are responsible to, prior to deployment.
- F. Operational Support Members** - will consist of following:
 - 1. Team Medic.
 - 2. Training Coordinator who must be a certified CMS instructor or hold instructor certifications in the field being taught.
 - 3. Intelligence Officer, K9, and technical support personnel, but not as regular team members.
- G. Other persons** - Persons who are acting within the inner perimeter will report directly to the Team Commander or Team Leader. The person will have a clear understanding of which leader they are responsible to prior to deployment.

216.2 Responsibilities

- A. Team Commander** - Team Commander is responsible for the deployment of the SWAT Team, tactical decision-making and tactical resolution of the incident. The Team Commander is subordinate to the Incident Commander only in terms of when and if the tactical option will be initiated, not how it will be performed. Interaction between the SWAT Team Commander and the CNT Commander is facilitated through the Incident Commander. [GO 217](#)
- B. Team Leaders** - Team Leaders are responsible for the tactical deployment of the team members. Team Leaders are a part of the working tactical team and act as supervisors, directing and controlling team members while actually participating in the tactical event.
- C. Sniper/Observer** - In the majority of cases, the Sniper/Observer is responsible for two vital functions when deployed:

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1. Provide suspect site tactical intelligence to the SWAT Team Commander, Incident Commander, and other elements of the command post.
2. Deliver precision rifle fire in accordance with Florida State Statute 776 and [GO 201](#) Use of Force.

D. Utility Members - Utility Members include all SWAT members not specifically assigned, but present during an incident. They are tasked with a multitude of responsibilities at the direction of the Team Leader.

E. SWAT Tactical Emergency Medical Support (TEMS). The SWAT TEMS program is a component of the Utility Team. The SWAT TEMS provider will be a trained tactical operator. All SWAT TEMS providers will be licensed by the State of Florida to practice emergency medicine as an emergency medical technician (Level B or higher) as set forth by the Bureau of EMS through the Department of Transportation. Members of the Palm Bay Fire Department (Firefighters or EMTs) who have completed the SWAT selection process and meet the requirements as listed above may serve in this capacity. In addition, all SWAT TEMS providers will complete Tactical Combat Causality Care Training as prescribed by The National Association of Emergency Medical Technicians and the committee on trauma of the American College of Surgeons. The SWAT TEMS provider will be responsible for inner perimeter emergency medical treatment. The SWAT TEMS team leader will be responsible for the SWAT TEMS Program and coordinate with the SWAT TEMS physicians. The SWAT TEMS physicians will not be involved in the tactical resolution of any SWAT operation. The primary duty of the SWAT TEMS physicians is to serve as the medical advisor/director to the SWAT TEMS provider and provide emergency medical treatment in a controlled environment or in the outer perimeter. Upon any SWAT TEMS physician obtaining the status of a fully trained part-time or Auxiliary Police Officer with the Palm Bay Police Department as set forth by the Florida Department of Law Enforcement, State Statutes and Palm Bay Police Department Reserve Office Program GO 708, they may be utilized within inner perimeter at the discretion of the Swat Team Commander.

1. SWAT Medics

a. Recruitment

- All SWAT Medics shall be recruited from the City of Palm Bay's Fire Department
- All SWAT Medics shall abide by the applicable General, Special, and Interim Orders of the Agency.

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- All SWAT Medics who are sworn members, full-time, Reserve, or Auxiliary, shall attend all applicable mandatory department training as outlined by the Florida Department of Law Enforcement Criminal Justice Standards and Training Commission and CFA Chapter 5, including but not limited to:
 - Firearms
 - Use of Force
 - Dart Firing Stun Gun
 - Less Lethal devices
 - Required training topics as outlined by the Agency or FDLE Mandatory Retraining Report

b. Application Process

- Complete a “Letter of Intent” and forward the letter to the SWAT Commander.
 - Written letter of recommendation from the medic’s immediate supervisor.

c. Personnel Requirements

- Be a full-time member of the City of Palm Bay Fire Department, in good standing.
- Shall have a minimum of two (2) years of experience as a full-time member of the City of Palm Bay Fire Department.

d. Selection Process

- Qualified members shall complete a SWAT Selection Process.

216.3 Call-out Process

- A. Call-out Criteria** - The SWAT team may be called out for critical incidents, tactical critical incidents, high risk situations, and at the direction of the Chief of Police or designee for inter-agency mutual aid. [GO 215](#)
- B. Monitor Phone** - All SWAT members are responsible for monitoring their cellular or home phones that are listed in Code Red, except during previously approved leave with authorization by the Team Commander. Members are expected to make sure they are able to confirm and respond to the Code Red within a reasonable amount of time from activation.

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1. All SWAT members will have their assigned equipment readily available upon activation.
2. Members' personally issued items will be kept in the member's assigned vehicle, SWAT truck, or in a place where the member may have immediate access to it in the event of activation.

C. Deployment Procedure - SWAT members responding to the call out page will respond utilizing the following procedure:

1. Switch hand held and vehicle radios to the appropriate radio channel as determined by the SWAT Commander when he arrives on scene.
2. Respond to the assigned Command Post to be briefed by the SWAT Commander or designee.
3. At the Command Post, the SWAT member will be given his/her assignment from the SWAT Commander or designee.
4. Assignments given by the SWAT Commander depend on the nature of the critical incident. Assignments may include but are not limited to the following:
 - a. Outer Perimeter
 - b. Inner Perimeter
 - c. Take Down Team
 - d. Sniper
 - e. Breach
 - f. Containment

216.4 Team Selection Process

A. Criteria - Criteria for application will be based on the following: (1) satisfactory job performance in present and previous assignments; (2) satisfactory physical fitness levels; and (3) an acceptable internal affairs record. (4) Members on probation are not eligible except at the convenience of the Agency.

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1. A written recommendation from the applicant's current supervisor.
2. Complete physical examination.
3. Testing consisting of SWAT specific job related practical exercises.

B. Consistency - The process will be consistent with [GO 410](#) Intra-agency Lateral Assignments.

C. Withdraws/Removals - Team members may voluntarily withdraw from the team at any time, for any reason. A team member may be removed from the team when deemed necessary for the good of the team by a consensus of the leadership element of the team and approved by the Chief of Police.

216.5 Training

A. Minimum Training - The Agency's SWAT Team will schedule training a minimum of 10 hours per month. They will annually train on appropriate subjects related to their function to include readiness exercises and scenario based training.

1. All training will be documented. The Agency's Training Unit will maintain the training records. Members must maintain an 80% attendance record. The Training Section will provide an attendance report every six months to the Uniform Services Division Commander and Chief of Police.
2. The Team Commander will review the training record and circumstances for the absences of the team members who fall below 80%. The Team Commander will make a determination for removal, probation, or suspension based upon the review findings.

B. Lesson Plans - All SWAT tactical and firearms training will be based on current Agency approved lesson plans. Training attendance rosters will be completed and forwarded to the Agency Training Section at the end of each training session.

C. Commander Responsibility - The SWAT Team Commander will place trained, qualified and certified firearms instructors in charge of training. The use of specialized tactics, weapons, devices and the related training on these topics will be conducted by trained and certified instructors. All applicable Agency rules and regulations will be followed in training exercises, qualifications and SWAT operations.

216.6 Uniforms and Clothing

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- A. Uniform Approval** - All SWAT Team uniforms will be approved by the SWAT Team Commander and comply with [GO 413](#) uniforms and equipment.
- B.** The SWAT Team Commander may authorize deviation of this requirement under the following circumstance:
1. The only exception to the above requirements would be if the use of such identifiable markings would place the members in a greater danger of being detected.
 2. In this case, the member will carry clear identification on their persons to be able to identify themselves to other law enforcement personnel and or citizens in the area, if needed.

216.7 Equipment

- A. Approved Weapons** - The SWAT Team may utilize issued equipment in accordance with General Orders governing such use. Chemical Agents [GO 205](#), Less Lethal Munitions [GO 203](#), and Advanced Taser [GO 204](#).
- B. Diversionary Devices/Specialized Munitions** - It shall be the policy of the Palm Bay Police Department to equip and train a SWAT Team to use a variety of devices and weaponry including diversionary devices and specialized munitions to facilitate the de-escalation and resolution of potentially violent confrontations.
- 1. Training**
- a. SWAT Officers shall successfully complete two (2) hours of training taught by a Department Diversionary Device and Specialized Munitions Instructor before they are authorized to utilize specialized munitions and diversionary devices.
 - b. SWAT officers will train under the direction of the SWAT Commander and SWAT Team Leaders.
 - c. Annual training will be conducted to ensure thorough familiarization and competency in the use of Specialized Munitions and Diversionary Devices.
 - 1) Each training session will include instruction on:
 - Policies and Procedures for use, storage and transportation.

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- Current inventory, location and method of access.
- Hands on training (demonstrating proper use and deployment).

2. Criteria for Use

- Each situation shall be evaluated on a case by case basis.
- Use of specialized munitions and/or diversionary devices requires authorization and direction of the SWAT Commander or designee.
- SWAT personnel may use approved devices in conjunction with the Department Use of Force policy and applicable laws to gain a tactical advantage.
- The use of specialized munitions and/or diversionary devices may be effective in high risk incidents, entry operations and other critical incidents and the peaceful resolution of a situation.
- Diversionary devices may be considered whenever the use of a less-lethal diversion would facilitate entry, enable arrest, and potentially reduce the risk of injury. Because diversionary devices have the potential to ignite flammable materials, a portable fire extinguisher will be readily accessible whenever devices are to be deployed.

3. Restrictions

- Only qualified SWAT personnel will be authorized to deploy specialized munitions and diversionary devices.
- Specialized munitions or diversionary devices shall not be used in areas with high fire potential.
- Diversionary devices should only be deployed in areas that have been visually observed to be clear of potential hazards.

4. Transport

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- a. All specialized munitions and/or diversionary devices shall be securely stored in a locked container inside of a Department vehicle prior to transport.
- b. Only Department vehicles with alarm systems will be used for transport. Vehicles shall have their alarm system activated if left unattended.

5. Documentation

- a. All specialized munitions and diversionary devices shall be obtained by authorized personnel prior to the removal from the Department's secure storage location.
- b. SWAT personnel will conduct annual inspections of the inventory of specialized munitions, diversionary devices and related items and will submit requests for replacement of used or outdated stock through proper administrative channels.
- c. Other than training scenarios, incidents involving the deployment of any specialized munitions or diversionary devices shall be documented on the applicable departmental forms.

6. Inventory and Maintenance

- a. All Department specialized munitions and diversionary device inventories will be maintained and evaluated on a continuing basis by the SWAT Commander to insure the correct amount and type of equipment are maintained.
- b. A current listing of the amount, type and location of equipment will be maintained by the SWAT Commander or his designee. A quarterly inventory shall be documented and maintained as prescribed by applicable law(s).

7. Secure Storage

- a. All specialized munitions and diversionary devices shall be stored and maintained in accordance with Federal/State Law and in an agency approved secure location.
- b. Access shall be limited to the SWAT Commander and/or his designees.

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- c. All specialized munitions and diversionary devices shall be secured by a double redundancy of lock and key (door and padlocked gate).

C. Sub-machine guns and Long guns - Sub-machine and long guns are to be used by authorized and trained members consistent with [GO 201](#) Use of Force, and [GO 202](#) Firearms. Only the following are authorized long guns:

1. AR-15 (Colt, Bushmaster, Armalite)
2. M-16 (issue only)
3. Submachine Gun: H&K MP5 and UMP (Agency issue only)

D. Handguns - Handguns are to be used by authorized and trained members consistent with [GO 201](#) Use of Force and [GO 202](#) Firearms.

E. Scoped Rifles - are to be used by authorized and trained members consistent with [GO 201](#) Use of Force and [GO 202](#) Firearms.

216.8 Documentation

A. Activation - The SWAT Commander will be responsible for the collection and maintenance of the following documentation as it relates to each individual mission:

1. Briefing document.
2. Team members after action reports.
3. SWAT Commander after action review report.
4. Other documentation or recordings supporting the operation as available.
5. Other documentation as directed by the Uniform Services Division Commander or designee.
 - a. The SWAT Commander will keep this documentation in an organized filing system.
 - b. The system will be secured and access limited to the Uniform Services Division Commander, Administrative Commander responsible for SWAT, and the SWAT Sergeant

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B. After Action Report - At the completion of all operations and significant events, the SWAT Team Commander will conduct an after action review.

1. The after action review will be formatted to develop the following information: positive factors, negative factors, and solutions for the negative factors.
2. All members of the Palm Bay Police SWAT Team will complete an Individual Action Report at the conclusion of every mobilization. Reports will be completed during the debriefing process prior to each member ending their tour of duty.
3. After reviewing the reports, each Team Leader will attach all paperwork to the After Action Report and forward the packet to the SWAT Team Commander. The Team Leaders and Commander will then review all reports for any legal or training issues that need to be addressed. If issues are found, the SWAT Team Commander will meet with the Team Leaders and determine the proper corrective actions to be taken.

216.9 Policy Review - The SWAT Commander will annually review and update this directive. Any proposed changes will be forwarded the Accreditation Management Unit and the Chief of Police for approval.

216.10 SWAT Vehicles

A. Objective for usage - The SWAT vehicles are assigned to the SWAT Team and will be under the responsibility of the SWAT Team Commander. In general, the SWAT vehicles and its authorized operator will primarily be used to transport the SWAT team and/or its equipment to locations where needed.

B. Instructions, Conditions and Limitations of Usage - The SWAT Team Commander will provide general guidelines on the operation of the SWAT vehicles to include, but not limited to, the following limitations:

1. SWAT vehicles may be equipped with operational lights and siren and may, with permission of the SWAT team leader, be operated in the emergency mode if necessary.
2. The SWAT vehicles will not be utilized to conduct routine traffic stops.
3. The SWAT vehicles will not be used as a pursuit vehicle.

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4. The SWAT vehicles will be stored in a secure location when they are non operational. The SWAT vehicles will not be left unattended with the key in the ignition.

C. Authorization for Use - In addition to be used to transport the SWAT Team and/or equipment to locations where needed, the SWAT vehicle may also be used on other details where law enforcement needs may be enhanced by the use of such a vehicle. Upon the SWAT Commander's approval, the SWAT vehicle and its operator may be loaned to other agencies that are in need of, or have requested SWAT assistance. In such cases, only the assigned Palm Bay SWAT Officer will operate the SWAT vehicle. The SWAT vehicle is designed for use 24 hours a day on an as needed basis, aside from scheduled use of responding to a call for service requiring the SWAT vehicle; all authorized operators must first obtain permission from the SWAT Team Leader assigned to the SWAT vehicle prior to using the vehicle.

D. Qualifications and Training

1. **Qualifications** - SWAT vehicle operators must meet the following minimal qualifications:
 - a. Sworn SWAT Officer
 - b. Acceptable Driving Record
2. **Training** - Only SWAT officers who have successfully completed training in the proper use and care of the SWAT vehicle may operate the SWAT vehicle. The Training Section will maintain a list of qualified operators and their training records. [SWAT Vehicle Inspection Form](#)
3. **Authorized Operators** - The SWAT team leader, who is responsible for the control, condition and maintenance of department SWAT vehicle, will maintain the authorized operator list.

E. SWAT vehicle equipment

F. Equipment/supplies will be maintained in the SWAT vehicle which is listed on the Inventory Form.

G. Inspection - The SWAT Commander will conduct semi-annual inspections of the SWAT vehicles and their contents and forward a copy of the inspection form to the USD Commander and the Accreditation Management Unit.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Crisis Negotiation Team (CNT)	Order No: 217	
Rescinds: GO 217 Revised: 06/01/17	CFA 5th: 17.05	Revised Date: 08/29/18
Reference:		

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217 Policy

- A.** The members of the Agency's Crisis Negotiations Team are specially trained to talk with people who are in a crisis. The team is used to obtain valuable intelligence information and use that information to talk the person in a crisis incident into a peaceful resolution. The negotiator creates an atmosphere where the suspect can vent (talk, communicate), and return to a state of normalcy through the process of negotiations and crisis intervention.
- B.** This policy establishes and clearly defines the guidelines and procedures that the members of the Crisis Negotiation Team (CNT), will operate under at the scene of a crisis intervention situation or critical incident call-out. The guidelines and procedures are set forth to provide skilled, verbal communication to attempt to negotiate a solution in a critical emergency in an effort to save lives. The CNT process will be used in conjunction with tactical measures.

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Subject: Crisis Negotiation Team	General Order: 217

217.1 Selection of Members to CNT

A. Qualifications - Members seeking positions in CNT will follow the requirements in General Order Intra-agency lateral assignments. [GO 410](#)
Additional requirements include:

1. Must have completed the term of probation. Education, life experience or other work history will be taken into consideration during the interview process.
2. Be willing to respond to callouts in a timely manner.
3. Candidates will have shown a performance record that demonstrates the ability to conduct themselves calmly and effectively under stressful situations using sound verbal skills.

B. Selection Procedure - The selection of team members will be consistent with General Order Intra-agency lateral assignments. [GO 410](#)

C. Training

1. Hostage Negotiation Course - Once an officer is selected to become a member of the Crisis Negotiations Team, they must successfully complete the basic hostage negotiations course to remain an active team member. The basic course will be completed within 6 months, or at the next offered seminar. This may be extended if necessary and approved by the CNT Team Commander. Selected negotiators will not engage in direct negotiations with a subject in crisis until successfully completing the basic course.

2. Quarterly Training - All CNT members will attend each quarterly training session unless excused by the CNT Team Commander or designee. Unexcused absence is defined as failing to attend scheduled training without prior notification to the Team Leader or designee.

3. Unexcused Attendance - Unexcused absences from designated training will be handled in the following manner:

- a. First unexcused absence will be documented in writing by the Team Leader and filed in the Team Leader's personnel tracking folder. The CNT Commander will be informed of the unexcused absence and verbally counsel the member.

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- b. Second unexcused absence will result in the team member being suspended. A memo of counseling will be completed by the CNT Commander and placed in the team member's performance log file.
 - c. Third unexcused absence within a twelve month period will result in the CNT Commander being notified in writing of the third unexcused absence. The member's third unexcused absence requires his/her removal from the team.
- 4. Withdraws/Removals** - Team members may voluntarily withdraw from the team at any time, for any reason. A team member may be removed from the team when deemed necessary for the good of the team by a consensus of the leadership element of the team and approved by the Chief of Police.

217.2 Responsibilities

- A. Team Leader** - The Team Leader negotiator must be able to motivate and supervise the activities of a team of police negotiators. The Team Leader must be capable of negotiating if necessary and coaching the team during negotiations. The Team Leader determines, develops, coordinates and may administer in-house training for CNT members. The team leader will designate an alternate team leader to address these responsibilities in his absence at an incident.
- B. Primary Negotiator** - The primary negotiator establishes communication with the subject(s) and maintains communication with the suspect(s) with the goal of bringing a peaceful resolution to the emergency. The primary negotiator is a rotating position assigned by the Team Leader at the time of the incident.
- C. Secondary Negotiator** - The secondary negotiator monitors the negotiation and provides the primary negotiator with discussion topics. The secondary negotiator provides emotional support to the primary negotiator and is available to relieve the primary negotiator if necessary. The secondary negotiator is a rotating position assigned by the Team Leader at the time of the incident.
- D. Intelligence Liaison Officer** - Gathers intelligence information on suspect(s) and/or hostage(s), which would be of value in the effort of negotiating the emergency. Maintains liaison with the Command Post, family members of subject(s) or hostage(s) and liaison with other agencies and/or departments, which may be involved in the resolution of the emergency. This is a rotating position assigned by the Team Leader at the time of an incident.

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E. Scribe - Records pertinent data developed throughout the negotiations process to include a time-line of events.

F. Technical Support Officer - Provides backup assistance to negotiators and intelligence/liaison officer. Responsible for maintaining the CNT equipment and setting up equipment during crisis negotiations situations.

217.3 Equipment

A. CNT Equipment - CNT Utilizes several pieces of expensive and sensitive equipment as listed on the [CNT Equipment Inspection Form](#).

B. Proficiency and Care - All CNT members will maintain proficiency on use of equipment and have general knowledge on proper care.

C. Equipment Maintenance - The CNT Technical Support Officer will be responsible for maintaining CNT equipment. The Support Officer will be responsible for getting the equipment to the designated location.

217.4 Call out Procedure

A. Call Out - Upon request of the Watch Commander, or for any incident listed in the Emergency Notification [General Order 303](#), the Communications Center, will page and/or call the entire Crisis Negotiation Team. Upon notification by the Communications Center of a call-out, the responding negotiations team members will contact the Negotiations Team Leader or Commander via cell phone or text message.

B. Watch Commander Activation - The Crisis Negotiations Team should be activated by the Watch Commander during emergencies involving:

1. All hostage situations.
2. Barricaded suspect who is about to commit, or has committed an act of violence offense and/ or is prone towards violent behavior and suspect refuses to come out.
3. Suicide attempts, in progress, where the Watch Commander believes that negotiation efforts may take considerable time and exceed the resources of the available patrol shift.

217.5 Deployment Techniques

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- A. The CNT Commander or designee will contact the Incident Commander prior to deployment. The Incident Commander will coordinate safe deployment of CNT personnel.
- B. Telephonic communication with the barricaded suspect is preferred. Close face-to-face contact with the barricaded suspect is not practiced. Under unusual circumstances and after consultation and approval from the Incident Commander or Tactical Supervisor face-to-face techniques may be allowed. Such contact will not be authorized if the suspect is armed with a firearm or explosive device.
- C. CNT personnel deployed in close proximity of a barricaded suspect will wear protective equipment.

217.6 Negotiation Techniques

- A. **Situation Assessment** - Each emergency must be evaluated based upon many factors relevant to each individual hostage/barricaded suspect incident.
- B. **Tactical Ploys** - Team members will determine the tactical ploys as to resolving the emergency.
- C. **Approval** - Such tactics that **will not** be used by the team, unless specifically approved by the primary and secondary negotiator, are:
 - 1. Members will not attempt face-to-face negotiations with known or suspected armed subjects.
 - 2. Hostage takers/barricaded subjects will not be permitted to talk to third party intermediaries (family members or friends) unless approved by the team leaders as part of the negotiating effort (to include doctors, ministers, etc.).
 - 3. Team members will not negotiate the exchange of hostages for other persons.
 - 4. Hostage negotiators will not be responsible for making the decision of whether assault tactics will be implemented. The Command Post Staff will make such decisions.
 - 5. Team members will not negotiate hostages for weapons.
 - 6. The use of non-police negotiators will not be practiced with the exception of initial contact by the Communications Center. This practice will be

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prohibited unless approved by the Incident Commander and/or the CNT Team Commander or designee.

217.7 Interaction among CNT, SWAT, and Incident Command - CNT members will be familiar with SWAT tactical, Critical Incident General Order [GO 215](#) and the Incident Command System Operating Manual, [OMA 215](#). CNT members will maintain constant communication with the Incident Commander, or designee, so a collaborative plan with SWAT can be implemented to deescalate the situation.

217.8 Debriefing - A debriefing session will be conducted immediately following the conclusion of each negotiation incident. All team members who were involved in the negotiating incident will attend the session.

217.9 Documentation

- A. After Action Report** - All participating CNT members must complete a [CNT After Action Report](#) documenting their role in the incident.
- B. Report Submission** - The Team Leader of the CNT team will be responsible for ensuring that After Action Reports are completed within forty-eight hours of the conclusion of the incident and submitted to the CNT Commander.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Hurricane Management Plan	Order No: 218a	
Rescinds: None	CFA 5th:	New: 05/02/17
Reference:		
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218 Purpose

The purpose of this general guideline is to serve as a plan of operation leading up to, during and after a hurricane. This general guideline will be referred to as the Hurricane Plan and will outline the duties and responsibilities of police personnel in the event of a hurricane.

218.1 Scope

This general guideline shall apply to **all** department personnel.

218.2 Discussion

Hurricane season officially begins June 1st and ends November 30th. The City of Palm Bay is located within a geographic area which has a history of major hurricanes. With advance warning from the National Hurricane Center, it may be necessary to evacuate citizens of the community to protect lives from destructive forces of wind and storm surge.

218.3 Definitions

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A. Hurricane - A violent storm, originating over tropical waters with winds near its center reaching over seventy-four (74) miles per hour and higher. In size, the storm may range from fifty (50) to one thousand (1,000) miles in diameter.

B. Hurricane Categories / Sustained Winds

1. Category 1 – 74-95 mph.
2. Category 2 – 96-110 mph.
3. Category 3 – 111-129 mph.
4. Category 4 – 130-156 mph.
5. Category 5 – 157 mph and over

C. Hurricane Watch - A hurricane watch indicates a hurricane is near and attention should be given to subsequent advisories. It implies a **possibility** of dangerous conditions within twenty-four (24) to thirty-six (36) hours.

D. Hurricane Warning - When a hurricane warning is announced, hurricane conditions are **considered imminent**, and landfall of the storm should be within twelve (12) to twenty-four (24) hours.

218.4 Responsibilities

A. Operational phasing may occur, depending upon the existing emergency. These alert stages are defined in General Order 218, All Hazards Plan.

B. The “Hurricane Watch” designation will be put into effect upon the direction of the Brevard County Emergency Operations Center (EOC). Designated liaison personnel will report to the Brevard County EOC to begin interagency direction and control activities upon activation of the center. Upon notification of a “Hurricane Watch”, the following shall be performed:

1. The Emergency Response Incident Commander, appointed by the Chief of Police, will be responsible for:
 - a. The overall coordination of the Department work forces in preparing for and responding to hurricane preparations.
 - b. Taking direction from and communicating status reports to the Chief of Police and the City Manager.

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- c. Coordinating public safety functions with other agencies through the County Emergency Operations Center.
- 2. The coordination of all records relative to police operations for FEMA, insurance, or other purposes related to Daily Activity Reports (DAR), payroll, and/or purchasing and supply acquisition shall be the responsibility of the Fiscal Management Unit.
- C. The "Hurricane Warning" designation will be put into effect upon the direction of the Brevard County Emergency Operations Center (EOC). Upon notification of this designation, the following shall be performed:
 - 1. **Watch Commanders**
 - a. Ensure all proper notifications by department communications are made.
 - b. Assume district field command operations until properly relieved by a higher authority.
 - c. Coordinate public safety functions with other agencies and organizations.
 - d. Ensure all personnel follow prescribed procedures.
 - 2. Members who are mobilized for a hurricane will begin 12 hour shifts designated as Alpha (0600-1800 hrs) and Bravo (1800-0600 hrs).
 - 3. Police Personnel - Upon notification that a "Hurricane Warning" is in effect, police personnel shall:
 - a. Make arrangements for the safety of family and home.
 - b. Officers will ensure that police vehicles are supplied with appropriate equipment and supplies.
- D. Equipment/Attire - All members will report to their assigned station for assignment and briefing. Under some circumstances, the incident commander may direct members to respond directly to their post or assignment. In all cases, members will report their presence to the designated command center via radio or in person. Civilian members will respond attired as directed by the Division Commander or the Chief of Police designee. Law enforcement members will report with following equipment:

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1. Fully fueled vehicle.
2. Uniforms and underclothing for a minimum of three (3) days.
3. Civilian clothing for use when not in uniform.
4. A second set of shoes or boots.
5. Raincoat.
6. Toiletries, shaving articles and medications, as required.
7. Pillow, blanket, and eating utensils; and non-perishable food and water for at least three (3) days.

218.5 Operations - Operations during a hurricane will be as follows:

- A. Maintaining patrol within the limits imposed by the storm.
- B. Reporting and updating information regarding:
 1. Damaged buildings.
 2. Flooded areas.
 3. Hot electrical wires down.
 4. Damaged or impassable roads and bridges.
 5. Persons needing assistance in evacuation.
 6. Persons needing emergency assistance.
 7. Detours.
- C. If an assignment cannot be carried out for any reason, the immediate supervisor is to be notified immediately.

218.6 Evacuations

- A. If an evacuation of the city, or any affected area thereof is ordered, it will be carried out based on grids identified for evacuation by the Brevard County Emergency Operations Center (EOC).

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- B.** Traffic control will be supervised by the Division Commander, or their designee, when an evacuation order is issued. They will coordinate through the Brevard County EOC the routes to be implemented during the evacuation.
- C.** Routes recommended for evacuation are indicated on the map located on the Brevard County Emergency Operations Center website, prepared by the Brevard County Emergency Management Director, and are as follows:
 - 1.** North / South Routes
 - a.** Interstate 95
 - b.** U.S. Route 1
 - c.** St. John's Heritage Parkway
 - d.** C.R. 509 / Minton
 - 2.** East / West Routes
 - a.** Robert J. Conlan Blvd.
 - b.** U.S. Hwy 192

218.7 Designated Shelters

- A.** The Brevard County Emergency Operations Center (EOC) determines the locations of shelters and special needs shelters as necessary and needed.
- B.** Upon notification of the shelters opening, an officer(s) will be assigned to each shelter to assist the manager as needed. This information will be conveyed to the Brevard County EOC.

218.8 Command Responsibilities

A. Disaster Preparedness Coordinator

- 1.** The Chief of Police has the ultimate responsibility for the control of operations during the hurricane, but he may designate personnel to perform certain duties to accomplish this.
- 2.** The Chief of Police is responsible for the following functions:

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- a. Evaluating needs.
- b. Issuing the appropriate instructions for the purpose of ensuring coordinated and effective deployment of personnel and equipment during a hurricane.
- c. Notifying the City Manager.
- d. Requesting assistance of support agencies through the Department representative at the Brevard County Emergency Operations Center (EOC).

B. Support Services Division Commander

- 1. As in all emergency/disaster operations, the Support Services Commander shall assume command of emergency operations as they apply to the City of Palm Bay in cooperation with other agencies.
- 2. The Support Services Commander is responsible for the following functions.
 - a. Ensure mobilization orders are carried out.
 - b. Ensure appropriate instructions are carried out to secure the coordination and an effective deployment of personnel and equipment.
 - c. Continually inform the Chief of Police as to the utilization of available personnel and equipment.
 - d. Keep the Chief of Police apprised of events.
 - e. Oversee the entire field of operation and evaluate situations to ensure appropriate action is taken.
 - f. Coordinate personnel in a team framework to include responses of Public Works, Engineering and Police personnel.

C. Uniform Services Division Commander

- 1. The Uniform Services Division (USD) Commander shall assume position of the Main Police Station commander during a hurricane.
- 2. The USD Commander will report directly to the Chief of Police and shall be responsible for the following duties:

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- a. Oversee station security and ensure that physical security is maintained.
- b. Oversee security of police vehicles in the parking lot and maintenance compound area.
- c. Oversee field operations and evaluate situations to ensure appropriate action is taken.
- d. Coordinate the deployment of personnel and equipment with Field Supervisors and ensure their requests for personnel and equipment are fulfilled.
- e. Supervision of Field Supervisors.
- f. Recommend the need for relief personnel and shift hours.
- g. Communicates all situational changes in the field to the 911 Communications Section, Brevard County EOC and the Chief of Police.
- h. Maintains an event log of all major events for after action reporting.
- i. Assigning appropriate shifts to A or B rotation based on the forecasted timing of the storm.

D. Watch Commanders

- 1. Lieutenants shall assume the position of Field Supervisors during a hurricane.
- 2. The Field Supervisor reports to the Uniform Services Division Commander and is responsible for the following duties:
 - a. Supervision of field units.
 - b. Ensure instructions by the Chief of Police and Uniform Services Division Commander are carried out.
 - c. Keep the Uniform Services Division Commander apprised of events in the field.

E. Special Operations Division Commander

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1. The Special Operations Division Commander shall be assigned to the Brevard County Emergency Operations Center (EOC) and will be responsible for the following duties:
 - a. Liaison between the police department, the Brevard County EOC and all other Emergency Support Functions (ESF) housed there.
 - b. Keep the Uniform Services and Support Services Division Commanders apprised of events, weather conditions, and instructions from the Brevard County EOC.
 - c. Coordinate police department operations with the Brevard County EOC.
 - d. Participate in all phases of direction control activities at the Brevard County EOC.
 - e. Keep the Brevard County EOC aware of situational changes.

F. Criminal Investigations Division Commander

1. The Criminal Investigations Division Commander will provide a list of detectives who will be utilized to investigate all homicides and other priority investigations to the Support Services Commander for review. In addition, the Commander will include a list of personnel who will be available for reassignment to supplement patrol forces if necessary.
2. Maintains liaison with the Medical Examiner's office.
3. Coordinates staffing for shelters.

G. Internal Affairs / Accreditation Sergeants

1. Responsible for receiving all complaints concerning police operations.
2. Immediately notify the Chief of Police of any existing situation concerning police procedure requiring immediate correction or consideration.
3. Complaints of misconduct of officers will be received and investigated in the usual manner as conditions and priorities permit.
4. Any complaint received during the hurricane event will be referred to the Internal Affairs Sergeant.

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5. The Internal Affairs Sergeant will maintain a separate log of all complaints arising out of each emergency situation.
6. The Accreditation Sergeant will maintain an event log of all major events for after action reporting.

H. Public Information Officer

1. The Public Information Officer (PIO) will be responsible for coordinating, implementing and disseminating public information involving police operations, to include the quelling of rumors, in conjunction with the City Public Affairs Officer.
2. Upon Notification of termination of the emergency situation, the PIO may establish a media post. The PIO will provide a safe location for the media to facilitate a high quality of public information dissemination.
3. Upon establishing the media post, media personnel will be distinguished by displaying identification cards and the briefed as to perimeter boundaries, regulations concerning police lines and information to be disseminated concerning the emergency.
4. After the initial briefing, media personnel will be provided with information updates as needed.
5. Only essential personnel will be allowed access to the media post.
6. The PIO will coordinate with the City Public Affairs Officer.
7. The Chief of Police, or his designee, will conduct a post incident briefing and/or conference with media representatives.

218.9 Documentation

1. **Case number** - A single case number will be assigned to document the agency's response to the hurricane. A single incident report (Face sheet) will be written identifying the report document information related to the named storm. The Uniform Services Division Commander will designate who will be assigned to write the property damage report face sheet. All subsequent member activity and reports of property damage will be reported. Supplemental reports are required. Individual case numbers will be assigned for incidents that are not considered storm related.

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2. **Daily Activity Report** - Members will complete a daily activity report (DAR). *The DAR's will be provided by the Fiscal Management Unit.* The Fiscal Management Unit will use these logs as source documentation for completing reimbursement forms.

3. After Action Reports

1. All Commanders will complete reports that detail actions taken by law enforcement members under their command. These reports will be directed to the Deputy Chief of Police.
2. Officers and other members will complete reports or supplement reports, upon request.
3. The Chief, or his designee, will complete a report that details the agency's response during each phase of the hurricane. The report will include a list of all damaged, lost or destroyed agency equipment and recommendations for future operations.
4. **Emergency Response Review** - The Chief will schedule a meeting of key members to review the agency's response to the hurricane. This meeting will be held as soon as possible after normal law enforcement services are restored. The review will be documented and include recommendations for procedural changes.

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City of Palm Bay

Emergency Preparation and Response Activities

Police Department

Prior to Landfall

Day 5 (120 hours)

1. Chief and Command Staff remain in contact with the City Manager's office on the status of the storm.
2. Review Hurricane Guideline with officers during briefings and remind officers to care for family and property prior.

Day 4 (96 hours)

1. Chief and Command Staff remain in contact with the City Manager's office on the status of the storm.

Day 3 (72 hours)

1. Chief and Command Staff remain in contact with the City Manager's office on the status of the storm.
2. Confirm appropriate (FEMA) paperwork is ready and available.
3. Confirm a master supervisory contact list is updated and available to all personnel.
4. Confirm each division/section understands their assignments prior to/during and after the event.
5. Chief will evaluate the need to cancel any current or pending leave/vacation requests.

Day 2 (48 hours)

1. Chief and Command Staff remain in contact with the City Manager's office on the status of the storm.
2. Remind officers to complete an inspection of department vehicle and equipment, report needed supplies.
3. Coordinate with Purchasing in reference to needed equipment.
4. Members should coordinate and/or make preparations to take care of their residences and families.

Day 1 (24 hours)

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1. Chief and Command Staff remain in contact with the City Manager's office on the status of the storm.
2. The Chief of Police will determine what members will be mobilized for 12 hour shifts designated as Alpha (0600 – 1800 hrs) and Bravo (1800 – 0600 hrs).
3. Notify Police personnel where to report as instructed.
4. Special Operations Commander report to Brevard County EOC.
5. Personnel assigned to Police Emergency Operations Center shall maintain a written log of events.
6. Personnel shall fully fuel department vehicles.
7. Confirm data and communications channels are open and functioning.
8. Evacuations will be carried out based on grids identified by Brevard County EOC.

Landfall

1. Chief and Command Staff remain in contact with the City Manager's office on the status of the storm.
2. Personnel assigned to EOC and Police EOC shall monitor reports and forward information to appropriate command/department.
3. Police personnel shall be sheltered at predetermined locations depending upon winds.
4. Coordinate public safety functions with other agencies and organizations.
5. Report and update information regarding damaged buildings/homes, flooded areas, damaged or impassable roads/bridges, etc.

Post Day 1 (24 hours)

1. Chief and Command Staff remain in contact with the City Manager's office on post-storm status.
2. Personnel assigned to EOC and Police EOC shall monitor reports and forward information to appropriate command/department.
3. Establish priorities and respond to calls for service.
4. Assist with roadway detours.
5. Maintain order while enforcing imposed curfew.

Post Day (48 hours)

1. Chief and Command Staff remain in contact with the City Manager's office on post-storm status.
2. Personnel assigned to EOC and Police EOC shall monitor reports and forward information to appropriate command/department.
3. Establish priorities and respond to calls for service.
4. Assist with roadway detours.

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5. Maintain order while enforcing imposed curfew.
6. Establish needs for post-storm demobilization.

Post Day (72 hours)

1. Chief and Command Staff remain in contact with the City Manager's office on post-storm status.
2. Personnel assigned to EOC and Police EOC shall monitor reports and forward information to appropriate command/department.
3. Establish priorities and respond to calls for service.
4. Establish needs for post-storm demobilization.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Search and Seizure	Order No: 219	
Rescinds: GO 219 Revised: 11/02/17	CFA 5th: 2.01, 15.08	Revision: 05/30/18
Reference: FSS- 933.02, 901.211, 901.21, 933.07. New York v. Belton, US v. Ross, Florida v. Jimeno, Wilson v. State, Jorgenson v. State, California v. Chimel. Strip & Body Cavity Search Authorization Form, Search Warrant Packet, Consent Search Form		
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219.6	<u>Search of Crime Scene</u>	

219 Policy

- A.** Members will be well versed in search and seizure law in order to protect the Constitutional rights of others in the performance of their duty. While a person's right to be free from unreasonable searches and seizures is of primary importance, lawful searches or seizures provide valuable evidence in the prosecution of criminals and many times results in the return of property to the rightful owner.
- B.** All sworn officers are expected to thoroughly review the legal guidelines on search and seizure each year online or in the Agency provided statute book (if applicable). Recent state and federal case law on constitutional issues that affect current laws will be made available through the directive management system as soon as practical. Officers are expected to keep abreast of these changes as they are disseminated.

219.1 Definitions

- A. Open View** - An officer who is in a public area, such as a shopping center or parking lot, who observes contraband, evidence, or fruits of a crime, may seize the items. Public areas where anyone is free to be or roam provide no

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expectation of privacy to a person. For example, an officer walking through a parking lot who observes contraband in a vehicle parked in the parking lot may seize the contraband.

B. Plain View - An officer who has lawfully entered an area of privacy and observes an item that produces probable cause such as evidence, contraband, or fruits of a crime, that item may be legally seized without a warrant.

C. Plain Touch - Much like plain view, plain touch means the officer's initial intrusion is constitutionally reasonable (the officer has a legal right to be frisking a person) and probable cause exists that the items felt are contraband or fruits of crime, then the officer may seize the items.

D. Strip Search - Is having an arrested person remove or arrange some or all of his or her clothing to permit a visual or manual inspection of the genitals; buttocks; anus; breasts, in the case of a female; or undergarments of such person. **Strip Searches will only be conducted according to Florida State Statutes and Department guidelines as follows: [901.211 FSS](#)**

1. No person arrested for a traffic, regulatory, or misdemeanor offense, except in a case that is violent in nature or involves a weapon or in a case involving a controlled substance, will be strip searched unless there is probable cause to believe that the individual is concealing a weapon, controlled substance, or stolen property.
2. Each strip search will be performed by a person of the same gender as the arrested person and in a location where the search cannot be observed by persons not physically conducting or observing the search. Any observers will be the same gender as the arrested person.
3. No law enforcement officer will order or conduct a strip search without obtaining the prior written authorization of the supervising officer on duty. **[Strip Search and Body Cavity Search Form](#)**

E. Body Cavity Search Restrictions - Body cavity searches are more intrusive than strip searches. No search of any body cavity, other than the mouth, will be conducted. Unless probable cause for an exigent search as defined in section 219.4B (3) of this directive exists, the Department requires an officer to seek a search warrant prior to this type of search. Prior written authorization must be obtained by the on-duty commander or a higher rank. If a search warrant is obtained, or reasonable justification for an exigent search exists, it will be conducted in a medical facility by a licensed physician or nurse.

219.2 Searches Incident to Arrest - Every person who is arrested will be searched incident to arrest. A search incident to arrest includes a search of the immediate surroundings of the person arrested, the removal and itemization of property,

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jewelry, money, and contraband. The search includes the area within ready reach (wingspan) and any unlocked containers within the arrested person's immediate possession. [901.21 FSS](#) [California v. Chimel](#)

A. Prisoner Property - Arresting officers may request that prisoners leave personal property with another person at the scene of the arrest. However, if the prisoner refuses, the arresting member must complete an itemized property report and submit the items into Property Evidence for safe keeping. If the prisoner agrees, **the arresting member must ensure the following steps are completed:**

1. The arresting member must complete an itemized property report outlining the items that will be relinquished to a person at the scene.
2. The person receiving the property must present a valid identification and sign the property report signifying that they are assuming custody of the item(s).
3. **At no time will a member turn prisoner property over to another person, regardless of permission from the prisoner, without completing the above steps.**

B. Prisoner Property Left at the Scene of Arrest - Prisoners may elect to leave their personal property at the scene of arrest. **However, the arresting member must complete an itemized list on a property report and have the prisoner sign the property form signifying their release of the property at the location.** If the prisoner refuses to sign the form, the member will have the property transferred with them to the county jail. If it is an item which the jail will not accept, it will be submitted to property evidence for safekeeping.

219.3 Searches of Vehicles

A. Search Incident to Arrest [New York v. Belton \(1981\)](#)

1. Must be a custodial arrest. (ROR with citation(s) and/or Notices to Appear issued at the scene are not custodial arrests).
2. Searches of a vehicle may only be done when there is reasonable suspicion that evidence related for the suspect's arrest is located within the vehicle, i.e., arrested for possession of stolen property and there is a reasonable likelihood that there is stolen property in the vehicle.
3. Scope of search
 - a. Arrested person

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- b. Passenger compartment of the vehicle and any unlocked containers found therein, whether open or closed

- 4. Conduct searches as quickly as feasible after arrest.

B. Probable Cause Search [United States v Ross \(1982\)](#)

- 1. Must be based upon probable cause that an apparently readily mobile vehicle contains contraband, weapons or evidence of a crime. Probable cause may be developed prior to, or following a legal stop. The vehicle does not have to be attended or occupied to conduct a probable cause search.
- 2. Depending upon whether contraband or evidence is found during a search and if it is a felony or misdemeanor, officers continue to have discretion whether to arrest, release, NTA, or Capias request.

3. Scope of Search

- a. Every part of the vehicle and its contents that may conceal the object of the search. This includes locked containers.
- b. The search may be done at the scene or at the station.
- c. Individuals may be searched only if the probable cause attaches itself to that person or an arrest is made (search incident to arrest).

C. Consent Search (Voluntary permission to search) [Florida v Jimeno, \(1991\)](#)

- 1. Consent must be freely given without duress or coercion, actual or implied. Consent should be documented on a "Consent to Search Form" and audio recorded, when possible. [Consent to Search Form](#)
- 2. The scope of the search must be established prior to consent.
- 3. Containers may be opened only if done without damage. If damage does occur, it will be reported to the supervisor as soon as possible. The damage will be reported in the written case report.
- 4. Before asking for consent on traffic stops write the citation or give the warning and return all property belonging to the driver.
- 5. Each consent search will be appropriately documented in the CAD comments. When items of evidence are discovered, a complete written

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report is required. When no items of evidence are located, a comment in CAD reflecting the outcome will serve as appropriate documentation.

6. **A search of any vehicle based upon the officer's determination that the presence of the odor of marijuana is coming from within the vehicle is not a consent search. Searches based upon known odor are probable cause searches and must be documented in a written report.**

D. Impound Inventory Search

1. Vehicle inventories are done to protect the owner's property, to locate potentially hazardous items, and to verify what items are present to avoid false claims later.
2. Every vehicle that is impounded must be completely inventoried. A complete and thorough written inventory of the vehicle along with its parts and existing damage and contents, to include the contents of all packages and containers, open or closed, within the passenger compartment, trunk and any other secured or non-secured area of the vehicle. Photographs should be taken of any obvious vehicle damage.

E. General

1. Officers may frisk (protective pat down for weapons) an individual when they reasonably suspect he or she may be armed and dangerous. [GO 210](#)
2. Driver's actions may be controlled (exit the vehicle, stay in the vehicle, etc.) for the duration of the stop. It is up to the discretion of the officer to allow any passengers to remain in the car, to order them out of the car, or to otherwise control them for safety purposes.
3. Vehicle searches will always be done with at least two officers present.
4. Vehicle searches **based on probable cause** require a written report, to include:
 - a. Offense Incident
 - b. Vehicle form
 - c. Narrative
 - Reason for the stop
 - Areas searched and the results

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- Actions and attitudes of the driver and occupants
- Charges and citation numbers
- Disposition

219.4 Search Warrants [933.02 FSS](#)

A. Search Warrants are required when probable cause to believe:

1. Property has been stolen or embezzled; **OR**
2. When the property has been used to commit any crime, in connection with gambling, or in reference to obscene literature; **OR**
3. When the property is evidence that a felony has been committed;
4. When the property is being held or possessed in violation of laws prohibiting the manufacture, sale, and transportation of alcoholic beverages, fish and game laws, relative to food and drug laws, in violation of quarantine for citrus canker; **OR**
5. When laws in relation to cruelty to animals have been or are being violated.

B. Exceptions

1. Search Incident to a lawful arrest. [901.21 FSS](#)
2. Consent [Jorgenson vs State, 714 SO 2d 423 \(Fla 1998\)](#)
3. Exigent Circumstances, such as:
 - a. To prevent the imminent use of a dangerous weapon.
 - b. To prevent the potential destruction of evidence.
 - c. To assist victims of crimes who are in imminent danger.
 - d. To investigate violent felonies in progress.
 - e. To investigate suspicious signs of impending danger.
 - f. To conduct a protective sweep based on the exigent circumstances. Officers are allowed to protect themselves by looking for other persons in the area to be searched who may pose a danger to the officers.

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- g. Motor vehicles, vessels, and aircraft where there is probable cause to search the vehicle. [US v Carroll](#)
- h. The property is abandoned.
- i. A residence, whose resident is on probation, may be search by a probation officer who is in the company of a sworn member.

C. Parts of a Search Warrant.

1. Affidavit

- a. An affidavit provides the judge information to base a decision on whether to issue the warrant. [933.07 FSS](#)
- b. An affidavit provides the authority, training, education, and experience of the officer requesting the warrant.
- c. An affidavit contains the physical address (legal description) of the location to be searched and particularly describes the structure or conveyance, and who is present or in control of the location to be searched. The areas which may be searched during a search warrant are restricted to any location in which the items sought could reasonably be concealed or located, within the confines of the warrant.
- d. An affidavit contains the probable cause to search the location.
- e. An affidavit lists the laws that are being violated and the particular items being sought in the search warrant.

- 2. **Search Warrant** - The search warrant part of the document will have the same information as contained in the affidavit 1(c) and 1(e).

D. Procedure

- 1. An officer must have supervisory approval to seek a search warrant.
- 2. Upon approval of a supervisor, the officer will write the search warrant and affidavit for review by a supervisor. The approving supervisor must first confirm with Special Investigations, Criminal Investigations, and Community Resource Unit supervisors that the location and known suspects are not the focus of an active case or connected to an ongoing investigation.
- 3. The search warrant must be reviewed and approved by an Assistant State Attorney.

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4. The search warrant may then be taken to a Judge within the circuit that the location to be searched is located or submitted thru the E-warrant system (see Admin Order 17-16-B).

- a. **eWarrants system** - The eWarrants system is a web based application for electronically submitting search warrants and arrest warrants to judges for review and approval. The system has been implemented to assist law enforcement and court personnel by offering a more efficient and timely process. The eWarrants system is designed to lessen the need to personally deliver a warrant to a judge, in turn saving valuable time and resources. The implementation of the eWarrants system does not eliminate the ability for law enforcement officers to personally deliver search warrants and arrest warrants to judges, as in cases involving sensitive information. However, under normal circumstances, the eWarrants system will be utilized to submit search warrants and arrest warrants for review. Warrant affidavits submitted via the eWarrants system must be witnessed/notarized prior to submitting the warrant documents for approval. The affidavits must articulate specific verbiage that identifies the person acting as a witness (law enforcement officer) or notary.

- b. **Submitting a Warrant**

- An affiant applying for a warrant will complete the entire warrant packet via Microsoft Word program, and maintain a working copy.
- Once an affidavit and warrant is completed and approval has been received from appropriate reviewing parties, the affiant will convert the signed warrant affidavit and accompanying warrant to a Tagged Image File Format (TIFF) and save to a computer drive for upload to the eWarrants system. The eWarrants system will only accept TIFF submissions).
- In accordance with Administrative Order 17-16-B, the affiant will then make contact with the business hours on-call judge's assistant (JA) or the on-call after hours duty judge prior to submitting the affidavit and warrant to the eWarrants system. Upon making contact, the affiant should inform the JA or judge that the affidavit and warrant will be submitted via the eWarrants system for review. If the JA or judge requests personal delivery in lieu of the eWarrants system, the affiant should follow the instructions of the JA or judge.

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- The affiant must log in to the eWarrants system utilizing his/her unique user account, and select the “Upload Warrant” option field to upload a warrant.
- The system will direct to a file selection page that is utilized to select the preferred warrant for upload. Once the warrant is uploaded, the system will indicate “Warrant File Captured.”
- The affiant will complete the required form fields below the file upload information section, and once completed, will select the “Submit Warrant” option field at the bottom left corner of the page.
- When identifying a “Warrant Title,” the following format will be used:
 - Search warrants will be submitted with a prefix “S”, followed by the appropriate nine digit case number (ex. S-17-000123).
 - Arrest warrants will be submitted with a prefix “A”, followed by the appropriate nine digit case number (ex. A-17-000123).
 - Multiple search warrants or arrest warrants related to a single case number will be noted with a letter suffix (ex. A-17-000123a, etc.).
- Once a warrant is addressed by the issued judge, the submitting affiant will receive e-mail notification of the warrant review

c. eWarrants System Security

- The eWarrants system is designed to maintain security of access via unique user information, including user names and passwords. Authorized users will not provide their unique user names and passwords to anyone, and shall take necessary steps to maintain the security and confidentiality of the unique information. The security of this information is paramount for the integrity of submitted warrants.
- Once a warrant is submitted to the eWarrants system for judicial review, the warrant will remain populated on the database for a period of seven (7) days. Once the (7) day

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period has elapsed, the warrant will NOT be maintained on a server.

- The integrity of the warrant affidavits and warrants are supported by the affiant's/judge's signature, the witness/notary signature and the unique user identification information for judges and submitting personnel. The scanned warrants and affidavits have been approved as true documents per the State Attorney's Office, the Brevard County Sheriff's Office General Counsel and the 18th Judicial Circuit Clerk's Office.
 - If a judge determines the documents to be unacceptable, under no circumstances will another judge be contacted to review the same documents.
5. Once approved and signed by the Judge, an officer must complete a Search Warrant Packet. The packet is required for search warrant locations and not required for gathering evidence from the human body or document warrants.
 6. The search warrant must be executed within 10 days of the issuance date. If the warrant is not executed, it must be returned within 10 days of the issuance date.
 7. Upon execution of the search warrant, a copy of the warrant and inventory of the property seized will be left at the location searched or with the responsible party.
 8. Within 10 days of the execution, the original warrant and inventory of property, will be returned to Clerk of Courts Office in the Judicial Circuit it was issued. The officer returning the search warrant to the Clerk will request a search warrant receipt and a clerk certified copy of all the search warrant paperwork. The Affiant officer shall file the original search warrant affidavit with the Clerk of Court when such time is reached that there is no longer an active criminal investigation. Any public records request received for a copy of the affidavit for search warrant prior to it being filed with the Clerk of Courts will be referred to the Records Section.
 9. This paperwork along with the officer's report will be turned over to the officer's supervisor for review and approval prior to being submitted into the Records Unit.

E. Planning

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1. A Supervisor and/or SWAT Commander will be responsible for the planning and coordination of any search warrant served and will be present at the execution. For the purposes of this section, a supervisor may include an acting supervisor if a hard rank supervisor is unavailable or unreachable, depending on the exigencies of the situation.
2. The execution of a high risk warrant requires the presence and oversight of a Police Commander at the briefing and the execution. Prior to execution of a search warrant, a briefing packet will be completed by the lead investigator. Information will include but is not limited to the following:
 - a. Search Warrant/Briefing Document.
 - b. Copy of search warrant and affidavit.
 - c. Complete criminal histories and photographs of all known occupants at target location.
 - d. Previous calls for service at target location with case report attached if applicable.
 - e. Photographs of target location.
3. A briefing will be conducted by the supervisor and the lead investigator of the case with all personnel involved whenever practical, depending on the exigencies of the situation. This will include, but not limited to, the on-duty patrol commander or designee and a representative from the Communications Section to plan the tactical execution of the search warrant. All involved personnel will be advised of the items named in the search warrant to be sought. The affiant of the search warrant will provide all information available to the supervisor that will affect the tactical and investigative aspects of the search warrant prior to the briefing. This information should include, but not limited to the following:
 - a. The "legal description" as provided in the body of the search warrant. This will include whether the location to be searched is sectioned into units (e.g. apartment letters or numbers) and/or levels. Specific detail of the exterior and interior of the structure including any fences, dogs, front/back door swing, outside lighting etc. will be documented.
 - b. Descriptions of all suspects/persons known to reside at the location.
 - c. Weapons known to be available to person(s) at the location.

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- d. The Supervisor, lead investigator and/or SWAT Commander (if applicable) will plan the method of approach, method of entry, security and search/exit from the target.
 - e. Ensure that members of the search team have the proper equipment for surveillance, entry, searching, evidence control and documentation.
 - f. All members involved in the service of the warrant will wear body armor.
 - g. Determine if the use of support units is necessary.
 - h. Notify rescue personnel to have units stand by in a safe, but close location to assist with any injured suspects or officers.
 - i. Develop a plan to handle the arrest of subjects, including transportation and processing. In cases of multiple arrests, ensure that adequate personnel are available.
- 4. Pre-Service Surveillance** - Whenever feasible, additional pre-warrant service surveillance at the target location should be conducted to monitor any activity at the location prior to execution. During the pre-service surveillance, photographs and video will be obtained of the location to be searched for review during the search warrant briefing.
- 5. Search Teams** - After the structure has been entered and deemed safe and secure, search teams will be assigned to search designated areas of the structure. The entire location to be searched will be thoroughly videotaped prior to any search being conducted. Searching members will not search in areas not assigned to them unless approved by the Unit Supervisor of the unit conducting the search, or in the case of investigations, the lead investigator of the case. Only persons listed on the warrant will be allowed within the location of the search warrant or persons necessary to assist in conducting the search. Under no circumstances will the media/press be permitted inside or to view inside the location of the search.
- 6. Inventory Control** - All items seized will be documented on a property receipt, photographed on the scene prior to disturbing, and identified by a crime scene technician. Except for unusually large items, all evidence will be packaged and labeled prior to leaving the search warrant location. All monies seized will be confirmed by the supervisor in accordance with [GO 701](#) currency handling procedures. All evidence, contraband, fruits of a crime or forfeiture items will be taken directly to the designated property and evidence facility.
- 7. Post Search Procedures** - At the conclusion of each search, investigators will sweep the structure to ensure that all departmental equipment has been

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removed. The structure will further be checked if left unoccupied for any conditions that may be hazardous, e.g., stove left on. If left unoccupied, the structure will be secured. The entire location subject to the search will be thoroughly video recorded.

F. Service of High- Risk Warrants

1. SWAT will be briefed in advance, as soon as practical after the warrant is signed, for all search warrants considered high risk as defined below:
 - a. Subjects are armed or suspected of being armed.
 - b. There is a potential for violence.
 - c. Subjects have history of known violence.
 - d. The building is fortified or barricaded against entry.
 - e. Any other factors that can be articulated that would lead a reasonable person to believe that there is potential for danger.
2. All high-risk search warrants require review and approval through the chain-of command, the SWAT Commander and the Chief of Police or his designee.

G. Service of Low-Risk Warrants - All search warrants served on an unsecured location have an unknown danger even if information and intelligence indicate that there is a minimal chance of a violent or armed encounter from the occupants of the targeted location. Officers serving such warrants will always proceed with caution during the execution process.

1. In general, a low risk warrant is defined as:
 - a. There are no known high risk factors present as described in F1.
 - b. The scene location is the scene of a crime and when possible, has been secured pending approval of a search warrant.
2. All low risk search warrants require review and approval by a supervisor through the Division Commander.
3. The SWAT Commander or designee will be briefed as to the location of the Low-Risk warrant and provided a copy of the search warrant briefing document, whether or not SWAT is executing the warrant.

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4. The supervisor in charge of the execution will ensure proper manning, uniforms, and tactical procedures are used in the execution of a low-risk warrant.
5. All officers on the service team will be present at the search warrant briefing and provided assignments in the execution of the warrant. If post-service duties are anticipated, those assignments will also be made at the briefing.

F. Detaining Persons at Scene of Search Warrant

1. **Residential** - Officers may detain individuals who are on the scene or who come upon the scene where a search warrant of a residence is being executed. Persons on scene or coming on scene may be reasonably detained until the search is concluded. To preserve evidence, officers are not required to allow admittance of any person into a residence where a search warrant is being executed.
2. **Commercial Establishments** - Officers may not frisk patrons of a commercial establishment where officers are executing a search warrant unless the officers have probable cause to believe the person to be frisked is armed and poses a danger to officers.

219.5 Consent Searches

A. General - Consent searches are the voluntary permission of an owner/custodian of the place to be searched to law enforcement. Officers should determine the person giving permission has legal standing to do so.

1. Consent must be freely given without duress or coercion, actual or implied.
2. The scope of the search must be established prior to consent.
3. Containers should be opened only if done without damage.
4. Use of a video or audiotape to record the consent or completion of [Consent to Search Form](#) is required prior to the search.

B. Factors to Consider

1. Age/mental capacity of the person providing consent. Person should be at least 15 years of age.
2. Whether the person has keys.

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3. Person(s) appearance that would lead an officer to believe the person has standing. Landlords cannot give consent unless they can prove tenant abandonment.
 4. All appropriate factors to consider will be documented in the case report.
- 219.6 Search of Crime Scene** - Officers may conduct a protective sweep of a crime scene to ensure their safety from persons who may be hiding and other hazards. Once the crime scene is secure, officers need either consent or a search warrant to search for evidence. Any evidence found in plain view during the protective sweep can be gathered without a search warrant.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Domestic Violence	Order No: 220	
Rescinds: GO 220 Revised: 08/02/16	CFA 5th: 15.09	Revised: 06/01/17
Reference: FSS 30.15, Chapter 741. GO 215, 501, Domestic Violence Worksheet Form		
TABLE OF CONTENTS		
Section	Description	
220	<u>Policy</u>	
220.1	<u>Procedures</u>	
220.2	<u>Service of Domestic Violence Injunctions</u>	
220.3	<u>Members Involved in Domestic Violence</u>	

220 Policy

The Agency requires all members adhere to the provisions of this policy and of Chapter 741 Florida State Statutes with respect to handling incidents of alleged domestic violence. The purpose of this directive is to provide clear procedures and protocols for preventing, investigating, reporting, and responding to domestic violence related calls for service.

220.1 Definitions

- A. CFS** - Call for Service
- B. DBS** - Desk Booking Specialist
- C. DV** - Domestic Violence
- D. FSS** - Florida State Statutes
- E. PBFR** - Palm Bay Fire Rescue

220.2 Procedures

A. DBS Responsibilities

1. Walk-in complaints handled by DBS will require all the documentation, statements, pictures, and collection of available evidence at the Agency.

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2. Once the DBS has completed the required paperwork and evidence collection, they will immediately notify the patrol supervisor for an initial follow-up investigation by a police officer. The patrol supervisor will review the report for completeness prior to assigning the follow-up investigation to an officer. If the victim is temporarily residing at a location other than the address of occurrence that address and telephone number will be provided to the officer conducting the follow-up investigation.
3. The Communications Center will be notified and informed that the case is in reference to domestic violence.

B. Officer Responsibilities

1. An officer assigned a Domestic Violence investigation will:
 - a. Approach the scene tactically in a high risk mode, as directed in [GO 501](#) and [GO 215](#).
 - b. Review DBS report if applicable.
 - c. Contact the victim or complainant.
 - d. Contact suspect and all witnesses.
 - e. Review the crime scene, by legal access, and collect any evidence.
2. Officers will establish control and restore order at the scene. Officers will separate all parties upon their arrival and assess the need for medical attention. Protection of the crime scene is paramount after ensuring safety of all parties and the officers themselves.
3. If medical attention is needed or requested by anyone at the scene, PBFR personnel will be called to the scene. **PBFR will be called if the injured party requests or requires medical attention.** The Palm Bay Fire Rescue and Brevard County transport ambulance "run number" will be recorded in the case report. If the injured person is treated at the emergency room, the attending physician's name will also be recorded in the case report.
4. Contact with the victim, suspect, and all witnesses will be made unless justification can be documented in the written report explaining the circumstances for lack of contact. While contacting victims, suspects, and witnesses, the following will be recorded in the original report:

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- a. Spontaneous statements.
 - b. Visual signs of a struggle (property damage/injury).
5. Written or recorded statements will be taken from all victims, suspects, children present, and witnesses when legally permitted. A summary of the content of the statements will be included in the original report. Documentation on all witnesses, victims and suspects, including all children at the scene, will include:
 - a. Full name, date of birth, home address, and home phone number.
 - b. Occupation, work address, and work phone number.
 - c. School attending and grade.
 - d. An alternate location and phone number where the victim may be contacted.
6. Under the following circumstances a neighborhood canvass will be completed of all houses that surround the incident location: repeat domestic violence, aggravated assault, aggravated battery or any incident which the responding officer considers appropriate. The names, addresses, phone numbers, (work and home), and a brief synopsis of anything heard or seen relating to domestic violence, including prior incidents, will be documented in the original report.
 - a. Neighborhood canvasses that would disturb the neighborhood (late night/early morning), should be conducted either in the morning or the next evening. Information inquiry cards may also be placed on the exterior door handles of neighbors.
 - b. It is the primary officer's responsibility to ensure a neighborhood canvass is conducted. In cases where the primary officer is going on scheduled days off, the officer will contact their supervisor who will arrange for the canvass to be done at the earliest possible convenience.
 - c. The primary officer will ensure that any indications of 'stalking' the victim are investigated, documented and the appropriate action taken.
7. A victim information package will be given to each victim (see E, Victim Assistance).

C. Collection of Evidence

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1. Collection and documentation of evidence are vital in the successful prosecution of domestic violence cases. The utmost care and consideration should be given to this task. If a particular required collection cannot be completed, the reasons will be articulated in the original report. The following is a list of items required to be collected in all incidents of alleged domestic violence:
 - a. A photograph of all injuries on the victim and/or suspect (including locations of alleged injury, whether visible or not).
 - b. A photograph of the face of the victim and suspect.
 - c. A photograph of any signs of a struggle, such as phones torn out of socket, broken dishes, or other property damage.
 - d. The officer will attempt to collect any pertinent physical evidence to support the allegation of domestic violence.
 - e. Written or recorded statements or spontaneous utterances are evidence and should be treated as such.

D. Arrest Determination

1. Officers who investigate an alleged domestic violence complaint who have probable cause to believe an individual has committed a criminal offense as defined in Florida State Statute 741.28 FSS, will make every reasonable attempt to affect a custodial arrest.
2. In cases where probable cause has been established, but the suspect cannot be located or is incapacitated due to injury, officers will complete a capias request which will be placed in the detention facility in the Pending Arrest/Pick-up file. A copy will be provided to the Victim Services Unit. For cases which constitute a felony and immediate arrest is not possible, members will complete the Arrest Warrant Packet.
3. In every case where it has been determined that a crime has occurred, whether or not probable cause exists, officers will make every attempt to determine the primary aggressor.
4. Officers have discretion in whether to arrest or file charges in cases of juvenile sibling violations of Florida State Statutes 741.28 FSS. Officers will consider the following factors and any unique circumstances in these types of cases:

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- a. Both participants are under the age of eighteen.
- b. Past history of violence with the individuals involved.
- c. Whether a weapon was used during the offense.
- d. Severity of injuries sustained.
- e. Probability of immediate continued violence without police intervention.
- f. Whether one juvenile is acting as caregiver to another (if one is a caregiver to another it may indicate child abuse instead of domestic violence).

E. Victim Assistance

1. In all alleged reports of domestic violence the victim will be informed of the following information:
 - a. Officers will give the victim an Agency business card with the case number written on it.
 - b. Officers will offer to call the on-call Victim Services Advocate to provide immediate assistance to the victim.
 - c. Officers will provide a Victim Assistance Package to all victims of domestic violence.
 - d. Officers will complete the State Attorney's Office Notice to Appear and Legal Rights and Remedies form on all arrest and filed cases of domestic violence.
 - e. Officers will remain on scene if a victim advocate responds and the primary aggressor is still at large. The officer will remain on scene until the victim advocate has provided assistance and departs from the location.

F. Documentation

1. In every case of alleged domestic violence, stalking, violation of injunction, or violation of a condition of bond on domestic violence cases, the primary officer will complete a written report. Reports on domestic violence will be detailed, and should accurately articulate the facts and circumstances of the event. The following is a list of forms which are required to be completed:

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- a. Offense Incident Report.
 - b. Persons Report
 - c. Narrative
 - d. [Domestic Violence Worksheet](#)
 - e. Property Report, (listing all evidence).
2. In every reported case of alleged domestic violence where facts and circumstances exist that a crime defined in [FSS 741.28](#) has been committed, the following list of forms, in addition to above, are required to be completed:
 - a. Written or recorded statement of victim, witness, including children and suspect
 - b. Arrest Form (923.01)
 - c. Arrest Warrant Packet when applicable
 - d. Cost Recovery Request Form
3. In every instance where a crime defined by 741.28 FSS has occurred, the officer will articulate in the report facts which indicate who was acting as primary aggressor.
4. Every officer who responds to a domestic violence incident, whether to assist, coordinate, back up, or other role, will be listed in the case report by the primary officer. **If a custodial arrest, arrest warrant, or a capias has/will be requested, the primary and back-up officer, at minimum, will complete a written report. Capias Requests may only be used when all of the following criteria are met:**
 - a. In circumstances where the suspect is no longer on scene and unable to be located
 - b. If there are no visible injuries to the victim
 - c. When the victim refuses to cooperate with the investigation
 - d. When there are no independent witnesses

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- e. The suspect has no history of any domestic violence related crimes
- f. Approval is given by a Watch Commander or above
- 5. In every instance, the officer will articulate in the report the following information:
 - a. A description of all physical injuries on the parties which were a result of the domestic violence.
 - b. If an arrest is not made, an indication by the primary officer of the reasons why an arrest was not made.
 - c. A statement that indicates that a copy of the legal rights and remedies notice was given to the victim (Victim Assistance Package).
 - d. A statement that indicates that the officer contacted the on-call VSA for the victim, and whether the victim talked with the VSA. The four digit city employee identification number assigned to the VSA will be in statement.
- 6. At the conclusion of the officer's investigation, the Communications Center will be notified and informed that the case is in reference to domestic violence.
- 7. The primary officer is responsible for any follow up investigations required except those cases which would be investigated by the Special Victims Unit or Major Case Unit.
- G. Stalking** - Stalking crimes determined to be domestic violence related as defined in 741.28 FSS will be documented in the same manner as any domestic violence investigation.

H. Injunction for Protection from Domestic Violence

- 1. An officer responding to a complaint of a violation of an Injunction for Protection from Domestic Violence will confirm the existence and content of the order through the Police Department, Sheriff's Department or issuing Court.
- 2. When a domestic violence injunction already exists and there is probable cause to believe a crime as defined in 741.28 FSS has occurred, every attempt will be made to affect a custodial arrest.

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- a. Officers will enforce conditions even if the petitioner has invited the respondent to return.
 - b. Officers cannot enforce the order against the petitioner/victim unless there is a separate injunction document listing the petitioner/victim as a respondent/offender, (i.e., both individuals have active injunctions against each other).
3. There may be bond conditions, (no contact order), in existence in cases where the suspect has been arrested for domestic violence. Cases in which officers have probable cause to believe the suspect has violated a condition of the bond, a custodial arrest will be made, if possible.
 - a. Officers will enforce conditions even if the petitioner has invited the respondent to return.
 - b. Officers cannot enforce the bond conditions against the victim.
4. In cases where there is probable cause to believe the injunction has been technically violated by the respondent and no arrest has been made, i.e., suspect is present but no crime as defined in 741.28 FSS has occurred, etc., the officer will complete a Capias request and file it with the State Attorney's Office.
5. Violations of a Domestic Violence Injunction or condition of bond will be documented in the same manner as a domestic violence investigation. Members will submit a copy of the injunction with the report.
6. In all cases involving DV, officers assigned to conduct "standbys" will check with the Communications Center CAD system to determine if any prior standby was done. DV related court orders usually permit **one** standby per court order for the defendant to retrieve "personal hygiene products, clothing and tools of the (defendant's) trade". The CAD check should be done before the defendant is escorted to the residence.
 - a. Standbys are typically only done between the hours of 0800-1600 daily. This does not apply to court ordered standbys.
 - b. The sworn supervisor may elect to have members conduct a standby at any time at their discretion.
7. At the conclusion of the officer's investigation, the Communications Center will be notified and informed that the case is in reference to domestic violence.

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220.3 Service of Domestic Violence Injunctions

- A. The Brevard County Sheriff's Office has primary responsibility for administering, filing, and serving all civil processes in Brevard County and the City of Palm Bay. [FSS 30.15](#) The Palm Bay Police Department has not been granted authority to serve civil processes from the Chief Judge, thus the responsibility lies with BCSO [FSS 741.30 \(8\)\(a\)1.](#)

220.4 Members Involved in Domestic Violence

- A. Public confidence in sworn members is important to the agencies' ability to maintain public safety. The public must trust that officers are held to the same standards of the law regarding domestic violence. The Palm Bay Police Department will:
1. Employ administrative prevention strategies to prevent domestic violence by officers.
 2. Promptly respond to allegations of domestic violence by officers according to this directive and applicable laws.
 3. Give primary consideration to protection of the victims of domestic violence and enforcement of the laws.
 4. Respect the due process rights of all officers, according to applicable legal precedent and collective bargaining agreements.
 5. Expeditiously report and conduct thorough investigations into any allegation of an officer involved in domestic violence.

B. Responsibilities of the Members

1. Member Responsibilities

- a. Members are encouraged to take personal responsibility in seeking confidential referrals and assistance from the agency to prevent a problem from escalating to the level of criminal conduct against an intimate partner.
- b. If any member becomes aware either through first-hand knowledge or well-founded knowledge they will report that information to their supervisor.
2. Members who engage in the following actions may be subject to investigation and disciplinary action:

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- a. Failure to report first hand or well-founded knowledge of abuse or violence committed by a fellow officer to a supervisor.
 - b. Failure to cooperate with the investigation of a law enforcement officer domestic violence case.
 - c. Interference with cases involving themselves or other members.
 - d. Intimidation/coercion of witnesses or victims (i.e., surveillance, harassment, stalking, threatening, or falsely reporting).
3. Members who learn that they are the subject of any criminal investigation, regardless of jurisdiction, are required to make a report to their supervisor and provide notice of the court dates, times, appearance, and proceedings within one week. The member's supervisor will inform their chain-of-command up to the Chief of Police.
4. Members who learn that they are the subject of any protective order proceeding, whether or not the order is issued and regardless of jurisdiction, will immediately notify their supervisor and provide a copy if issued. Subject to a qualifying protection order, the member will surrender all firearms unless the order allows for possession of the primary service weapon. The member's supervisor will ensure that the chain-of-command is notified up to the Chief of Police.
 - a. If the member is allowed to maintain their duty weapon, they will make arrangements through their supervisor with the agency armorer to store their firearm at the police department while not on duty.
 - b. Member's take home vehicle privileges will be suspended until the court order is lifted.

C. Supervisor Responsibilities:

1. Supervisors should be aware and, when appropriate, document any pattern of abusive behavior potentially indicative of a member's possible domestic violence including, but not limited to the following:
 - a. Aggressiveness
 - Excessive and/or increased use of force
 - Unusually high incidences of physical altercations and verbal disputes.

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- Citizen and fellow member complaints of unwarranted aggression and verbal abuse.
 - Inappropriate treatment of animals
 - Unexplained increased frequency of on or off duty injuries
- b. Domestic violence related issues**
- Monitoring and controlling any family member or intimate partner through such means as excessive phone calling.
 - Stalking or inappropriate surveillance of any intimate partner or family member.
 - Frequent or repeated incidents of discrediting and/or disparaging an intimate partner or family member.
- c. Deteriorating work performance**
- Increased and/or unexplained tardiness.
 - Excessive use of leave sick time.
 - Alcohol and drug abuse.
- 2. When a supervisor notes a pattern of problematic behavior as outlined above, they will:**
- a.** Address the behaviors through a meeting with the member and document the outcome.
- b.** Forward written or performance reports capturing the behaviors to the Internal Affairs Division through the chain of command. The Internal Affairs Division will:
- Notify the Chief of Police in writing as to the allegation and provide all documentation
 - Request the Chief of Police order the member to submit to a psychological exam or counseling by a licensed psychologist/psychiatrist/licensed mental health professional of the member's choosing or contact EAP. The member may be relieved

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of their duties until such requirement is met at the Chief of Police's discretion.

- If the member is relieved of their duties, the Internal Affairs Division will be required to collect all of the member's issued weapons, badge, police identification, and pac-set.
- This information will be treated as confidential.

D. Agency Responsibilities

1. The agency will inform all members of the type and extent of services offered by EAP for employee initiated counseling.
2. If a supervisor or department administrator suspect that a member is a victim of domestic or sexual violence, they will make contact with the subject member and arrange a meeting with EAP and a victim's advocate if the member agrees. However, at no time will a member who is believed to be a victim be compelled to:
 - a. Acknowledge they are a victim
 - b. Seek assistance or cooperate in any investigation against their suspected abuser
 - c. Not be threatened that they will be placed on administrative leave if they choose not to follow through with assistance as a victim
3. In response to observed escalating, threatening, or other problematic behaviors or at the request of the member or family member of the employee, the police department will provide specific information about confidential counseling or assistance programs. Victim's advocates will also be offered to assist the member or the reporting party.
4. Disclosure on the part of any member, intimate partner, or family member to any other employee of this agency that a member has personally committed an act of domestic violence will be treated as an admission or report of a crime and will be investigated both administratively and criminally.
5. The Palm Bay Police Department will provide for an impartial administrative and criminal investigation (if warranted), on all acts of domestic violence allegedly committed by a member. The reporting party will be made familiar with the Internal Affairs process.

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6. If a member from this agency arrests a sworn officer from another department, the sworn supervisor will make contact with a supervisor of that agency. The Staff Duty officer will also be notified.

E. Agency Response

1. All reports of domestic violence committed by or against a member will be reported in the same fashion as outlined in this directive.
2. A sworn supervisor will respond to all reports of domestic violence involving a member. The supervisor will notify the Staff Duty officer of the circumstances and forward all reports to the Chief of Police through the Chain of Command.
3. Follow up contact with the victim will be initiated by the victim advocate or a Sergeant or above of the investigating agency in a timely manner.

F. Communications Responsibilities

1. Telecommunicators will be instructed to assign a high priority to all domestic violence calls involving a member or sworn officer from another jurisdiction.
2. Telecommunicators will contact the sworn supervisor immediately upon receiving information of a domestic violence call for service involving a member via telephone if time permits. At no time will a member's address be given over radio dispatch frequencies unless there are exigent circumstances. Telecommunicators will:
 - a. Advise the sworn supervisor of the circumstances and location of the CFS via MDB or cell phone.
 - b. Advise the responding officers the circumstances and location of the CFS via cell phone or MDB.
 - c. Advise the watch commander of the location and circumstances of the CFS via MDB or cell phone.
 - d. Notify the Communications supervisor
3. Telecommunicators will preserve any recordings and CFS documentation and release the information to the investigating officer or sworn supervisor only.

G. Patrol Officer Response

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1. Upon arrival of a domestic violence call involving a member or sworn officer from another agency, the officer will request a Sergeant or above if not done prior.
2. Responding members will adhere to this directive in investigating domestic violence calls for service involving a member of this agency or sworn officer of another department.
3. If probable cause exists for the arrest of a member or a sworn officer of this agency, all attempts to affect an arrest will be made.
4. All written reports, CFS comments, dispatch recordings, evidence, etc. will be submitted prior to the reporting officer's end of duty.

H. On Scene Supervisor Response

1. A Sergeant or above will respond to the scene of any domestic violence incident investigated by our agency that involves a member or sworn officer from another police department.
2. If the member is the victim or suspect, the supervisor will notify the Staff Duty officer of the circumstances.
3. If the victim is a member of this agency, the sworn supervisor will contact that member's direct supervisor and inform them of the situation as soon as possible. The member's supervisor involvement is intended to be supportive and not punitive. The victim will be advised of all rights and services available, however, will not be compelled to utilize them.
4. If the involved party is a member from another agency, the sworn supervisor will ensure that the involved parties' agency is notified as soon as possible.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Workplace Harassment	Order No: 221	
Rescinds: GO221 03/22/07 Revision	CFA 5th: 7.07	Revised Date: 08/13/12
Reference: City Rule 8 Sect 14 US Equal Employment Opportunity Commission		

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Section	Description
221	Policy
221.1	Harassment
221.2	City Rule
221.3	Reporting Procedure

221 Policy

- A.** The policy of the City and the Department is that all members have the right to work in an environment free of all forms of harassment. The Department does not condone and will not tolerate any type of harassment. Therefore, the City and Department will take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment, sexual or otherwise.
- B.** The purpose of this policy is to maintain a healthy work environment and to provide procedures for reporting, investigating and resolving all complaints of harassment, including sexual harassment.

221.1 Harassment - A form of employment discrimination that violates [Title VII of the Civil Rights Act of 1964](#), the [Age Discrimination in Employment Act of 1967](#), and the [Americans with Disabilities Act of 1990](#). In addition, the law also prohibits harassment against persons in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit.

- A.** Harassment is any unwelcome conduct that is based on race, color, religion, sex (to include pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful when:
 - 1.** Enduring the offensive conduct becomes a condition of continued employment.

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Subject: Workplace Harassment	General Order: 221

2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
 3. Offensive conduct may include, but not limited to:
 - a. Offensive jokes.
 - b. Slurs.
 - c. Epithets or name calling.
 - d. Assaults.
 - e. Intimidation.
 - f. Ridicule or mockery.
 - g. Insults or put downs.
 - h. Offensive objects or pictures.
 - i. Interference with work performance.
 4. Harassment may occur in many situations, including, but not limited to:
 - a. The harasser can be a supervisor, an agent of the employer, a co-worker, or a non-employee.
 - b. The victim does not have to be the subject of the harassment, but, can be anyone affected by the offensive conduct.
 - c. Harassment can occur without economic injury to or discharge to the victim.
- B.** Petty arguments, annoyances, isolated incidents (unless extremely serious in nature), orders from a supervisor to improve work performance are not considered harassment. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to a reasonable person.
- 221.2 City Rule** - All harassment complaints will be reported and investigated as outlined in [City Rule 1, Section 4](#), as provided below. **Statement Concerning Discrimination and Harassment:**

Palm Bay Police Department	
Subject: Workplace Harassment	General Order: 221

- A. All employees have the right to work in an environment free of discrimination and any form of harassment based on race, religion, color, sex, age, marital status, national origin or disability.
- B. To help ensure that no employee feels himself or herself to be subject to harassment, the City also prohibits any offensive physical, written, or spoken conduct regarding any of these subjects, including conduct of a sexual nature. Such conduct may constitute harassment when engaged in by someone in the City in a position to influence employment decisions when submission to this conduct is made either expressly or implicitly a condition of the recipient's continued employment or submission to or rejection of this conduct by the recipient is used as the basis for repeated and unwelcome physical, written, or spoken conduct by either a supervisor or any fellow employee that substantially interferes with an individual's work performance or creates what a reasonable person could consider to be an intimidating, hostile, abusive or offensive working environment.
- C. If an employee believes they are being subjected to any of these forms of harassment or believes they are being discriminated against because other employees are receiving favored treatment in exchange, for example for sexual favors, they must bring this to the attention of the City. The very nature of harassment makes it virtually impossible to detect unless the person being harassed registers his or her discontent with the appropriate City representative. Consequently, in order for the City to deal with the complaint, employees must report such offensive conduct or situations to their supervisor, the Human Resources Director, (952-3421), or the City Manager, (952-3411). If an employee is uncomfortable consulting with one of the above-mentioned avenues, they may contact the Benefits Coordinator or Risk Manager, (952-3421), or another high-ranking City official in whom they feel they can confide.
- D. It is understood that any person electing to utilize this complaint resolution procedure will be treated courteously, the problem handled swiftly and confidentially, and the registering of a complaint will in no way be used or held against the employee, nor will it have an adverse impact on the complaining individual's employment status.
- E. A record of the complaint and the findings will become a part of the complaint investigation record and the file will be maintained separately from the employee's personnel file.
- F. A policy regarding Sexual Harassment will be provided to all employees of the City. The policy will contain, but not limited to the following areas:
 - 1. Definition of Sexual Harassment.

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2. Examples of Sexual Harassment.
3. Identifying conduct that is unwelcome.
4. Responsibilities of Supervisory and Non-Supervisory employees.
5. Complaint procedure.
6. Training.

221.3 Reporting Procedure - An employee who reports any type of harassment in the workplace will make the complaint as follows:

- A. The employee will inform any Palm Bay Police Supervisor as to the nature of the concerns. If the employee chooses, he/she may make the report directly to the City's Human Resources Department.
- B. The employee may either communicate their concern verbally or prepare a written statement of his/her concerns.
- C. All workplace harassment reports will be forwarded to the Human Resources Department for resolution.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Off-Duty Employment	Order No: 222a	
Rescinds: GO222 Off-Duty Employment Revised: 02/24/17	CFA 5th: 2.10	Revised Date: 09/27/17
Reference: CBA Article 52. GO 401. Off-Duty Employment Form. FSS 561.25		

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222.2	Criteria for Off-Duty Employment
222.3	Review, Approval, and Revocation Process
222.4	Activities Related to Off-Duty Members
222.5	Details Outside City Limits

222 Policy

- A.** The Agency allows off-duty employment by its personnel, upon approval of the Chief of Police, thru his designee, the Support Services Division Commander.
- B.** These procedures will apply to all off-duty employment by members of this Agency. The FOP-City collective bargaining agreement governs off-duty employment for sworn members. [CBA 52](#)
- C.** Approval for off-duty employment is granted with the understanding that the employee is subject to recall in an emergency.
- D.** Members will adhere to the rules provided in the General Order on Professional Conduct. [GO 401](#)

222.1 Definitions

Off-Duty Employment - Any employment that is off-duty, not compensated by the City of Palm Bay, and the employee, sworn or non-sworn, receives monetary compensation or other consideration or discount for performing a service or job function for an outside employer, or self-employed is off-duty employment.

Palm Bay Police Department	
Subject: Off-Duty Employment	General Order: 222a

222.2 Criteria for Off-Duty Employment

- A. No Law Violation** - No member will engage in any employment that is in violation of law.
- B. No Conflict of Interest** - The employment will not constitute a conflict of interest or abuse of the police resources.
- C. Held to Agency Directives** - The employment or behavior of members engaged in off-duty employment will not tend to discredit or embarrass the Agency. All members involved in such employment will abide by Agency Directives.
- D. Qualifications** - A member requesting approval for off-duty work must meet the following qualifications:
 - 1. If certified, must have successfully completed the first four phases of the Field Training and Evaluation Program (FTEP)
 - 2. Must be in good standing with the Agency.
 - 3. Sworn members must have a current qualification on any weapons used. The requesting officer's supervisor must verify this requirement through the Training Section sworn officers' training data base located on the City computer network ("K" drive).
 - 4. All sworn members meeting the requirements in all three above are eligible for off-duty work.

222.3 Review, Approval, and Revocation Process

- A. Off-Duty Employment** - Employment that does not involve the wearing of a police uniform or the performance of police or security-type functions does not require approval. However, an Off-Duty (non-police) Employment Notification Form must be completed and forwarded through the member's chain of command to the Support Services Division Commander. Members under the NAGE contract must also forward the form to the Human Resources Director for inclusion in their personnel files. If an employee is requesting the use of a Department vehicle for this employment, it must be approved using the form via the chain of command to the Support Services Division Commander. [<Off Duty Police Emp. Form>](#)

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Subject: Off-Duty Employment	General Order: 222a

- B. Five Day Return** - Requests that violate standards listed herein will be denied. The reason(s) for disapproval from the Support Services Division Commander will be listed on the form.
- C. Disapproval Criteria** - The following employment will be automatic reasons for disapproval for members certified under 943 Florida State Statutes:
1. Connection with any business licensed under the beverage or tobacco laws, except for security functions outside the business and parking lot. [561.25 FSS](#)
 2. Process server.
 3. Bill collector.
 4. Repossession of vehicles.
 5. Bail bondsman.
 6. Correctional functions.
 7. Private investigator.
 8. Wrecker operator.
 9. Bouncer.
- D. Revocation of Off-Duty Employment** - At any time the Support Services Division Commander determines that a member's off-duty association with an employer may reflect discredit upon the Agency or is no longer lawful, approval will be withdrawn. The affected members will be notified in writing immediately upon revocation of approval for the off-duty employment. If a member reports to work unfit for duty because of excessive off-duty employment, the member will be subject to disciplinary action.
- E. Record Keeping** - The Support Services Division Commander will keep documentation relating to off-duty employment in order to oversee adherence to the established directives.

222.4 Activities Related to Off-Duty Members

- A. Transfer to On-Duty Status** - When an officer is off-duty and observes a violation of the law or other situation that requires the officer to act in the

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capacity as a law enforcement officer; the officer is automatically transferred to on-duty status.

- B. Document Events** - Every sworn member engaged in off-duty employment will report and document any significant event occurring during a detail or employment requiring police action. Significant events include, but are not limited to arrests, complaints, injury, or other significant event. The significant event will be reported to the on-duty patrol supervisor as soon as possible and before the officer ends his/her off-duty work shift.

222.5 Details Outside City Limits

- A. Prohibited** - Details and extra-duty employment outside the City Limits of Palm Bay are prohibited.
- B. Exceptions** - After review by the Support Services Division Commander and approval by the Chief of Police, exceptions may be granted for special considerations on a case-by-case basis.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Extra-Duty Employment	Order No: 222b	
Rescinds: GO222 Off-Duty Employment Revised: 02/24/17	CFA 5th: 2.11	Revised Date: 09/27/17
Reference: CBA Article 52. GO 401. FSS 561.25		

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222.3	Review, Approval, and Revocation Process
222.4	Detail Approval of Extra-Duty Employment
222.5	Activities Related to Details
222.6	Details Outside City Limits

222 Policy

- A.** The Agency allows extra duty employment by its personnel, upon approval of the Chief of Police, thru his designee, the Special Operations Division Commander.
- B.** These procedures will apply to all extra-duty employment by members of this Agency. The FOP-City collective bargaining agreement governs extra-duty employment for sworn members. [CBA 52](#)
- C.** Approval for extra-duty employment is granted with the understanding that the employee is subject to recall in an emergency.
- D.** Members will adhere to the rules provided in the General Order on Professional Conduct. [GO 401](#)

222.1 Definitions

Extra-Duty Employment - Any secondary employment requested by any private, commercial, or public organization where the actual or potential use of law enforcement authority is a condition of employment. This includes all

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Subject: Extra Duty Employment	General Order: 222b

employment which requires the officer to wear a police uniform or to perform a police or a security-type function.

222.2 Criteria for Extra-Duty Employment

- A. No Law Violation** - No member will engage in any employment that is in violation of law.
- B. No Conflict of Interest** - The employment will not constitute a conflict of interest or abuse of the police resources.
- C. Held to Agency Directives** - The employment or behavior of members engaged in extra-duty employment will not tend to discredit or embarrass the Agency. All members involved in such employment will abide by Agency Directives.
- D. Qualifications** - A member requesting approval for extra-duty work must meet the following qualifications:
 - 1. If certified, must have successfully completed the first four phases of the Field Training and Evaluation Program (FTEP)
 - 2. Must be in good standing with the Agency.
 - 3. Sworn members must have a current qualification on any weapons used. The requesting officer's supervisor must verify this requirement through the Training Section sworn officers' training data base located on the City computer network ("K" drive).
 - 4. All sworn members meeting the requirements in all three above are eligible for extra duty details.

222.3 Review, Approval, and Revocation Process

- A. Extra-Duty Employment Agreement** - Any public, private, or commercial organization requesting assignment of extra-duty officers will complete the Extra Duty application and sign the Agreement and Conditions of Extra Duty form. The only exception to this requirement is a Collective Bargaining Unit approved extra-duty detail as provided in section 222.4. The completed Extra Duty application and signed Agreement and Conditions of Extra Duty form will be submitted to the Special Operations Commander or designee for review.

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- B. Review of Extra-Duty Employment** - The approval, review, and revocation process of each extra-duty assignment will be conducted by the Special Operations Commander or designee.
- C. Disapproval Criteria** - The following employment will be automatic reasons for disapproval for members certified under 943 Florida State Statutes:
1. Connection with any business licensed under the beverage or tobacco laws, except for security functions outside the business and parking lot. [561.25 FSS](#)
 2. Process server.
 3. Bill collector.
 4. Repossession of vehicles.
 5. Bail bondsman.
 6. Correctional functions.
 7. Private investigator.
 8. Wrecker operator.
 9. Bouncer.
- D. Revocation of Extra-Duty Employment** - At any time the Special Operations Division Commander determines that a member's extra-duty association with an employer may reflect discredit upon the Agency or is no longer lawful, approval will be withdrawn. The affected members will be notified in writing immediately upon revocation of approval for the extra-duty employment. If a member reports to work unfit for duty because of excessive extra-duty employment, the member will be subject to disciplinary action.
- E. Record Keeping** - The Duty Coordinator will keep documentation relating to extra-duty employment in order to oversee adherence to the established directives. This will be readily available in the PowerDetails program operated by the City of Palm Bay.

222.4 Detail Approval of Extra-Duty Employment

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- A. Detail Coordinator** - The Chief of Police will assign a member as Detail Coordinator.
- B. Three-Day Response** - The Special Operations Division Commander will respond in writing via email within three business days to the Detail Coordinator with approval or reason(s) for disapproval.
- C. Detail Tracking** - All details being regulated by the Detail Coordinator will be managed in PowerDetails and made available upon request.

222.5 Activities Related to Details

- A. Document Events** - Every sworn member engaged in extra-duty employment will report and document any significant event occurring during a detail or employment requiring police action. Significant events include, but are not limited to arrests, complaints, injury, or other significant event. The significant event will be reported to the on-duty patrol supervisor as soon as possible and before the officer ends his/her off-duty work shift.
- B. Log In/Out** - Every officer involved in extra-duty employment will notify the Communications Center via radio, when he/she is in or out of service, the detail name, and location.

222.6 Details Outside City Limits

- A. Prohibited** - Details and extra-duty employment outside the City Limits of Palm Bay are prohibited.
- B. Exceptions** - After review by the Special Operations Division Commander and approval by the Chief of Police, exceptions may be granted for special considerations on a case-by-case basis.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Internal Complaint Process	Order No: 223	
Rescinds: GO 223 Revised: 06/09/16	CFA 5th: 2.06, 7.03, 7.05, 20.01, 20.02, 20.03, 20.04	Revised Date: 02/01/18
Reference: CBA Article 28. FSS 837, 112, 119. GO 225, 402. Employee Complaint Form, Internal Investigation Checklist, Receipt of Complaints, Notification Form, Chief's Findings Form,		

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223	Policy
223.1	Definitions
223.2	Accepting Complaints Against Employees
223.3	Classifications of Complaints
223.4	Investigations of Complaints
223.5	Release of Information

223 Policy

- A.** The integrity of the Agency depends upon the personal ethics and discipline of each employee. To a large degree, the public image and trust in the Agency is determined by the quality of the Internal Review function in responding to allegations of misconduct by the Agency or its employees.
- B.** An appropriate investigation will be conducted on all complaints, including anonymous, against the Agency or its employees. These complaints will be reviewed by the Internal Affairs Unit to determine the correct investigatory process. Malicious and deliberately false accusations should be investigated to protect the integrity of the agency or the employees, thereby instilling public confidence. In some cases, the extent of the investigation may be limited to substantiating the falsity of the accusations. The Chief will retain final authority for filing of criminal charges pertaining to Perjury [837 FSS](#). All Internal Affairs complaints and records will be kept confidential and stored in a secure area with accessibility limited only to those authorized.

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223.1 Definitions

- A. Procedural Complaint** - Complaints that are a result of a misunderstanding or lack of knowledge of Agency Policies, General Orders, Standard Operating Procedures or Florida law on the part of the complainant. These complaints (non-disciplinary) are not required to be documented in an employee's performance log.
- B. Behavior/Conduct Complaint** - Complaints that allege misconduct by an employee which is a violation of Agency Policies, General Orders Standard Operating Procedures or Florida Law. These complaints are required to be investigated and documented at the appropriate level. Employees are reminded that complaints levied against a law enforcement officer are considered confidential per [112.533 FSS](#) and exempt from the provisions of [119.07 FSS](#) until such time as the investigation becomes inactive due to closure by the Chief or his designee with or without discipline being administered.
- C. Conclusion of Fact** - Final determination about allegations based on investigative activities which may include exonerated, sustained, not sustained, unfounded, and policy failure.
- D. Disposition** - The sanctions that resulted from the conclusion of fact which may include probation, suspension, transfer, termination, or no action.

223.2 Accepting Complaints Against Employees

- A. Referral** - Whenever possible, persons making a complaint will be referred to the Internal Affairs Unit. If that is not possible they will be referred to an on-duty supervisor. The supervisor will evaluate the complaint and determine whether the complaint is procedural or behavior/conduct related. If the complaint is procedural, the supervisor will resolve the complaint with the appropriate information or forward the complaint thru the effected employee's Division Commander / Manager to the employee's immediate supervisor. If the complaint is related to employee behavior or conduct, which includes an employee's failure to follow accepted procedures, the supervisor will document such on an Employee Complaint form or provide a form to the complainant to complete. That form will be forwarded to the Internal Affairs Unit where it will be categorized, managed and maintained as appropriate and authorized in 223. [Employee Complaint Form](#)

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B. Criminal complaints

1. If the complaint involves a misdemeanor or felony criminal act, the Internal Affairs Unit will be notified and will arrange for the initial case report to be received or initiated.
2. The follow up on such criminal cases will be assigned at the direction of the Chief of Police.
3. If the employee is under arrest, or is likely to be placed under arrest as a result of an investigative interview, he will be completely informed of all of his rights prior to the commencement of the interview.

C. Anonymous Complaints - Complaints received by mail or from citizens who wish to remain anonymous or refuse to come in to the station will be referred to the Internal Affairs Unit. In anonymous complaints, preliminary fact-finding will be completed before an investigation is opened to determine if basic points of the allegations can be confirmed (i.e., employee was working on date in question, etc.). If no corroborative evidence is obtained the complaint will be classified as Unfounded.

D. Other Employees - Complaints by employees alleging misconduct of another employee will be in writing and will be sent to the Internal Affairs Unit. The investigating authority will be determined by the category of the complaint.

223.3 Classification of Complaints

A. Internal Investigations (II Cases) - Internal Investigations are formal investigations conducted by the Internal Affairs Unit on complaints which allege serious violations of policy regulations, procedures, criminal acts or corruption or consideration of progressive discipline which would result in employee suspension or greater if sustained. If it is possible, a sworn statement from the complainant will be obtained. Only the Chief or his designee can authorize an Internal Investigation. Internal Investigations will be completed in accordance with [FSS 112](#).

B. Division Inquiries (DI Cases) - Division Inquiries are complaints, which allege minor violations or improper use of procedure. DIs are informal inquiries conducted by the employee's chain of command and do not involve the administration of corrective action greater than a written letter of counseling. Only the Chief or his designee can authorize a DI. Complaints received by employees, with different chains of command, will be investigated by an

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appropriate supervisor of neutral standing. All DIs will be completed within twenty one days from the date of inception.

223.4 Investigation of Complaints

A. Internal Investigations

1. Upon the authorization of an Internal Investigation the Internal Affairs Unit will prepare a file folder, which will contain the original complaint and any copies of reports or other pertinent documentation. It will also contain an Internal Investigation Checklist. [IA Internal Checklist](#) The Internal Affairs unit will also provide the Chief with the accepted level of discipline according to the Disciplinary Matrix. [GO 402](#) The Chief will determine a finite discipline per the Matrix.
2. The investigator will notify the employee of the specific nature of the complaint and name of the complainant and the employee's Division Commander as soon as practical. The Internal Affairs Unit will determine if such notification would compromise the investigation. Notification may be withheld with the Chief's approval. When an employee is notified in writing of an internal investigation and it is later decided the investigation is not going to be pursued or is being reduced to a DI the employee and their Division Commander will be notified in writing as soon as practical. The employee will be provided information concerning rights and responsibilities relative to the investigation [LEO Rights FSS 112.532 IA Notification Form](#). The employee will also be notified pursuant to the General Order on Discipline. [GO 402](#)
3. Once notified, the subject employee will have seven calendar days to contact the Internal Affairs Unit and schedule a date and time for an interview. The interview will be scheduled within the following 14 calendar days. Failure to comply with this time schedule may warrant disciplinary action in and of itself. Should a need arise necessitating an extension of the 21 days, outlined above, an extended date, mutually agreed upon by the Internal Affairs Unit and the accused employee, can be used. This agreement will be in writing. Any extension beyond the original 21 days will not be included in the 45 day completion date as outlined in FOP Union contract. [CBA 28.5.9.7](#)
4. Witnesses identified by the Agency who may have "material matter of facts" regarding the complaint under investigation will be interviewed prior to the subject employee. The subject officer may, and is entitled to, review witness statements and complainant statements. Formal recorded witness

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interviews taken by another unit or department, as part of a criminal investigation will be considered “prior witness interviews” with respect to FOP union contract. [CBA Article 28.5.9.4](#)

5. The investigator will maintain strict confidentiality, informing only those with a need to know.
6. All medical or laboratory examinations will be conducted in conformance with Florida Law [FSS 112.0455](#) and Collective Bargaining Agreements.
 - a. Sworn members contract [CBA Article 54](#)
 - b. Civilian members contract [CBA Article 40](#)
7. No employee will be compelled to submit to a photograph for the purpose of an internal affairs investigation. This will not preclude the investigator from use of existing photographs or photographs obtained through a criminal investigation. The investigator may use photographic line-ups, if necessary, when an existing photograph of the employee is already available.
8. Employees are not compelled to submit to a lineup and/or show up for Internal Affairs. However, a lineup may be required for a criminal investigation.
9. Employees will not be required to submit financial disclosure statements for the expressed purpose of an internal affairs investigation. This will not preclude the investigator from using any type of financial statement lawfully obtained through a separate criminal investigation.
10. No employee may be required to undergo a polygraph examination or any other examination for the purpose of determining truthfulness.
11. Agency employees will not make public statements concerning the investigation until it is completed and the employee under investigation has been notified. This does not preclude the Chief of Police from discussing investigations with his staff or with the City Manager. [FSS 112.533\(4\)](#)
12. If, during the course of an Internal Investigation, an additional policy violation is discovered to have allegedly been committed by the subject employee, that employee will be notified unless such notification would compromise the investigation. If the additional violation does not, in and of

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itself, warrant disciplinary action against the employee the following two options may occur:

- a. The added violation may be documented in the Internal Investigation report with no further action taken; or
 - b. The violation may be documented as a DI and forwarded to the employee's supervisor as outlined in 223.3.
13. If a policy violation is discovered to have allegedly been committed by an employee who is not the subject employee, that complaint will be categorized and managed as appropriate and authorized in [GO223.3](#).
14. The standard of proof to sustain, not sustain, unfound or exonerate the complaint will be based on the preponderance of the evidence.
15. The Internal Affairs Unit will forward the results of an Internal Investigation to the Chief with a written recommendation as to:
- a. **Sustained** - The allegation has been investigated and the facts show that the allegation is true and the action taken was not consistent with agency policy.
 - b. **Not Sustained** - The allegation has been investigated and there is insufficient proof to confirm or refute the allegation.
 - c. **Unfounded** - The allegation has been investigated and either the allegation is demonstrably false or there is no credible evidence to support it.
 - d. **Exonerated** - The allegation has been investigated and the facts indicate that the action taken was consistent with agency policy or a violation of policy has occurred but was justified due to exigent circumstances.
16. The subject employee will be notified in writing in investigations, which are ruled Sustained, Not Sustained, Exonerated or Unfounded. Investigations which are found to be Not Sustained, Exonerated or Unfounded will be filed and maintained by the Internal Affairs Unit until it may be disposed of per State Statute [FSS 119.021](#) [IA Findings](#).
17. No Internal Investigation case will be held *OPEN*. The investigation will continue as long as new information is received and evaluated. If the case

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produces no conclusion and no further leads within 45 days, it will be forwarded to the Chief for a determination on case finding. However, a case may be extended by the Chief in writing, if the Chief receives a written report from the investigating officer describing the reason additional time is required and the length of time needed. The reason for requesting additional time must pertain to the case itself. Written notice of the extension and reason must be given to the subject employee.

18. In sustained Internal Investigations where discipline is anticipated per the disciplinary matrix, a pre-disciplinary hearing may be held according to City Policy, Rule XIV, Disciplinary Actions. The Chief will forward his recommendations to the Human Resources Director and City Manager if discipline is proposed per the General Order on Discipline. [GO 402](#)
19. The case materials will then be returned to the Internal Affairs Unit for records retention. All files will remain in locked file cabinets with access limited to the Internal Affairs Unit.
20. The IA Unit will notify the complainant, subject employee, and the subject employee's division head in writing, as to the conclusion of fact and disposition of the case. The division head will ensure that each supervisor in the subject employee's chain of command receives a copy of the written notification so that the incident may be appropriately noted in the employee's performance log and annual evaluation.
21. The IA Unit may dismiss an Internal Investigation for procedural reasons (e.g., failure of the complainant to pursue the complaint, etc.) with approval of the Chief of Police.

B. Division Inquiries (DI)

1. DI's are informal investigations which are not required to adhere to Investigation Guidelines outlined in FSS 112.532 and do not result in discipline.
2. DIs will be assigned a control number by the Internal Affairs Unit. The Internal Affairs Unit will forward the complaint directly to the investigating supervisor with notification thru the chain of command.
3. DIs will be handled at the lowest supervisory level. No DI will be conducted by an officer of equal or lesser rank than that of the subject employee. Acting rank does not constitute a rank for the purpose of investigation of

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employee misconduct (i.e. a Corporal cannot conduct a DI on a fellow officer).

4. If during the investigation the supervisor determines that an additional violation occurred, he will notify the Internal Investigations Unit for categorization per [GO223.3](#).
5. The standard of proof to sustain, not sustain, unfound or exonerate the complaint will be based on the preponderance of the evidence.
6. After the investigation by the immediate supervisor the case will be forwarded through the chain of command to the Chief. The supervisor will include recommendations as to whether the allegation is Sustained, Unfounded, Not Sustained or Exonerated and whether the findings will result in verbal or written counseling (i.e. Blue book entry) or official Letter of Counseling.
7. Each supervisor in the chain of command will review the investigation findings. If any supervisor in the chain of command determines that proper procedures were not followed during the investigation or if he has questions unanswered by the investigation, he will return the document to the investigating supervisor with comments. If the Chief approves the recommendation, the Division Commander or his designee will notify the employee of the final disposition of the case. The findings of the DI will be discussed with the affected employee and documented per the disciplinary matrix.
8. Upon the completion of the case, the investigation will be forwarded to the IA Unit.
9. The Internal Affairs Unit will notify the complainant of the final determination of the complaint in one of the following ways:
 - a. Department Email
 - b. Direct Phone Call
 - c. In Person
10. The IA Unit will maintain the completed case for records retention. All files will remain in locked file cabinets with access limited to the Internal Affairs Unit.

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Subject: Internal Complaint Process	General Order: 223

223.5 Release of Information

- A. Confidential** - Internal Investigations are considered confidential until inactive as defined in [FSS 112.533\(2\)](#) and are exempt from [FSS19.07\(1\)](#).
- B. Disclosure** - The release of information at the conclusion of an Internal Investigation will be in compliance with the State of Florida Public Records Law.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Performance Assessment and Review System (PARS)		Order No: 224
Rescinds: GO 224 Revised: 10/23/14	CFA 5th:	Revised: 11/02/17
Reference:		
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224.2	<u>Criteria Threshold</u>	
224.3	<u>Notification</u>	
224.4	<u>Action Plan</u>	

224 Policy

The Performance Assessment and Review System (PARS) is designed to reflect the Agency's commitment to the integrity and accountability of its employees. The system is established to track and review incidents or behavior, as defined by the Agency, of risk to the agency and the involved employee. This system will be implemented as a means to identify and assess employee performance involved in potential risk incidents and intervene when appropriate. The goal of intervention is non-disciplinary but is to formulate an action plan to assist the employee to improve performance and/or correct problems identified by the Agency, usually through counseling or training.

224.1 Responsibilities and Procedures

- A. IA Administers** - The Internal Affairs supervisor under the Office of the Chief of Police will administer the PARS and be responsible for data entry of applicable behavioral or performance indicators as determined by the Chief of Police.
- B. Reports** - The Internal Affairs supervisor will produce monthly, bi-annual and annual reports to be reviewed by the Chief of Police, Senior Staff members and the State Fraternal Order of Police Representative. Reporting requirements are as follows:

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Subject: Performance Assessment and Review System	General Order: 224

1. The monthly report will detail targeted incidents that have occurred in the past 90 days, which reached the threshold criteria.
2. Targeted incidents will consist of the following:
 - a. Allegations of member misconduct
 - b. Response to Resistance
 - c. Traffic crashes
 - d. Disciplinary actions
 - e. Vehicle pursuits
 - f. Lawsuits and claims

C. Report Contents - The report will include the employee's name and description of the targeted incidents the employee was involved in during the previous 90 days.

D. Dispositions - The report will include the disposition of all allegations of employee misconduct investigations.

E. Supervisor Role

1. The role of the employee's supervisor is critical to the PARS.
2. The employee's supervisor will enter into the PARS any dramatic changes in the employee's work performance or personality, while under the supervisor's command.
3. All incidents regardless if it is a first time offense or a reoccurrence will be entered into the PARS.

224.2 Criteria Threshold - The threshold will be exceeded when the following number of targeted incidents are recorded in the PARS:

- A. 2 allegations of misconduct within 90 days; or
- B. 2 Response to Resistance incidents within 90 days; or
- C. 2 Traffic crashes within 90 days; or

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- D. 2 Disciplinary actions within 90 days; or
- E. 2 Vehicle pursuits within 90 days; or
- F. 2 lawsuits or claims within 180 days; or
- G. Any combination 3 targeted incidents within 180 days.

224.3 Notification

- A. **Report to Supervisor** - When an employee is identified as exceeding the criteria threshold, the Internal Affairs supervisor shall submit to the effected employee's supervisor a report of the targeted incidents.
- B. **Meeting** - The Internal Affairs supervisor and the employee's supervisor shall meet to discuss the report and any other relevant information and determine if corrective action (Action Plan) is warranted.

224.4 Action Plan

- A. **Resolutions** - The meeting will produce a documented action plan. Action plans may include, but are not limited to, the following resolutions:
 - 1. Informal Counseling
 - 2. Monitoring by the employee's supervisor
 - 3. Mandatory training to improve employee skills
 - 4. Referral to the City's "Employee Assistance Program" (EAP)
 - 5. Reassignment of duties
 - 6. No additional action needed
- B. **Approval** - The Action Plan recommendations and justification for those recommendations shall be forwarded to the Chief of Police or his designee for approval.
- C. **Plan Follow-Up** - Once approved, the supervisor shall ensure the plan is completed. The employee's progress shall be monitored and formally reported to the Chief as prescribed, if necessary. Indications of employee compliance or non-compliance, to include evidence on completion of the agreed upon plan, will be kept in the Internal Affairs Unit PARS records.

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D. Review - The Chief of Police or designee will review the system annually for any changes or revisions that may be required.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Police Related Death or Injury		Order No: 225
Rescinds: GO 225 Revised: 07/05/17	CFA 5 th : 15.15	Revision: 06/05/19
Reference: GO 223, 225, 302, 303, 310, 506, 709. FDLE Agreement. Police Related Death or Injury Checklist.		
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225 Policy

The Agency has responsibilities related to incidents involving life-threatening injuries or death of another that is likely the result of police activities. This directive will also provide a procedure intended to minimize additional trauma for officers involved in incidents resulting in life-threatening injuries or the death of another. **This policy is applicable when an officer uses, or attempts to use, deadly force against another, or a police activity results in life-threatening injury or death of another. The accidental or intentional discharge of firearms where there is no injury to a person will also be investigated.**

225.1 Discharge of Firearms

- A. **Internal Review** - Incidents involving the discharge of firearms by members, whether accidental or intentional, on or off duty, will be reviewed by the Internal Affairs Unit. Written reports are required on all discharges of firearms, noting the exceptions enumerated in this policy.

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- B. Exceptions** - Exceptions to this policy are: firearms training and qualification, hunting and sporting events, ballistics tests, personal recreational use, and the destruction of severely injured, rabid, or otherwise dangerous animals. While investigations are not required, supervisory approval and written reports are required for animal destructions.
- C. Criminal Investigation** - The investigation conducted by Internal Affairs will be in addition to any warranted investigation by the Criminal Investigations Division or outside investigative body for possible criminal charges.
- D. Officer's Rights** - The rights of the involved officer and shooting victims, and the integrity of investigations arising from such incidents, will be strictly maintained.

225.2 Non-Contact Shootings

- A. Definition** - A non-contact shooting exists whenever a member discharges a firearm and the projectile does not strike any person and the officer was not responding to a perceived threat as defined in 225.3 A.
- B. Supervisor Notification** - The involved member will immediately notify the Communications Center of the incident. The Communications Center will notify all on duty supervisors in the member's chain of command. If the incident occurs after normal business hours and no supervisor of the rank of Lieutenant or above is available, the Communications Center will notify the Staff Duty Officer.
 1. The Staff Duty Officer will make additional notifications to the appropriate Division Commander and the Chief of Police.
 2. The on-call Crime Scene Technician will respond when requested by the Watch Commander or Staff Duty Officer.
- C. Scene Security** - The involved member's ranking supervisor (Lieutenant or above) or the Staff Duty Officer will respond to control the scene. Once the scene is under control, no person will enter until the on scene investigation is complete.
- D. Response to Scene** - The involved member's Lieutenant, Commander, or the Staff Duty Officer will respond and take over the scene. If the shooting involves a patrol supervisor, an alternate supervisor will be appointed and the Commander or Staff Duty Officer assumes the investigation.

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- E. Involved Member** - The involved member will remain available for collection of evidence, preliminary interviews, etc.

225.3 Contact Shootings

- A. Defined** - A contact shooting exists whenever a member intentionally or unintentionally discharges a firearm at a perceived threat and places one or more persons in close proximity in immediate danger of being shot although no injury occurred, **or a person is actually injured or killed by the fired round(s) or debris from the round(s) striking an object near the person.**
- B. Supervisor Notification** - The involved member will immediately notify the Communications Center of the incident. The Communications Center will notify all on duty supervisors in the member's chain of command and the Investigations Division Commander. The Investigations Division Commander will make additional notifications to the Chief of Police, the appropriate investigating agency or unit and the affected Division Commander.
- C. FDLE Investigation** - The Florida Department of Law Enforcement will investigate a contact shooting involving injury or death to another. The Major Case Unit will investigate contact shooting cases not resulting in injury to a person.
- D. Scene Security** - Command will assign an officer to secure the crime scene. A large perimeter around the scene will be cordoned off to prevent contamination. Only persons administering necessary emergency medical treatment may enter the scene. Their movements inside the perimeter will be closely monitored and documented to reduce scene contamination. Except for exigent circumstances, no person, regardless of rank, will enter the crime scene prior to the arrival of the **designated** investigating authority. If the shooting scene is outdoors, no vehicle within the scene, either police or citizen, will be moved prior to examination by the Crime Scene Technician.
- E. Investigative Control** - The scene will be turned over to the appropriate investigator upon his arrival. The primary responsibility and authority over the crime scene rests with the investigating authority.
- F. Replace Weapon** - As soon as is practical after the incident, the shooting investigator, or designee, will recover and replace the involved member's weapon and other related equipment, if the preliminary assessment of the incident indicates the member will not be the subject of a criminal investigation.

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- G. Member Available** - Absent unusual circumstances (the presence of blood, chemical agents, etc. on the officer), which would dictate otherwise, the member will remain available for collection of any other evidence, taking of interviews, etc. The member will not shower, wash, change clothes, or discard any items that were with him during the shooting until notified to do so by the Major Case Unit and/or Florida Department of Law Enforcement.
- H. Member's Family** - The member may contact a family member to inform him/her that they are not injured.
- I. Collective Bargaining Representative** - The collective bargaining unit representative for the involved member will be notified on all contact shootings.

225.4 Death or Serious Injury Not Shooting Related

- A. General** - Member activities that result in the death or serious injury of a person or persons will follow similar procedures, internal review, and investigative protocol as outlined in 225.3. This will apply to both sworn and civilian members.
- B. Traffic Related** - Traffic crashes resulting from member activities that result in death or serious injury of a person or persons will follow similar procedures, internal review, and investigative protocol. Traffic crashes involving a member will be investigated by the Florida Highway Patrol, another agency determined by the Chief of Police, and/or FDLE for sworn and civilian members. [GO 506](#)
- C.** A documented review of any incident resulting in death or serious bodily injury will be conducted by the Chief of Police, or designee (Example: FDLE for OIS incident or FHP for Traffic crash).
- D.** Employees, both sworn or civilian, actions whose accidental or deliberate actions result in death or great bodily harm will be placed on administrative leave with pay until a preliminary administrative review is conducted by the Chief of Police, or designee. This is antecedent to a complete investigation and is in no way to be construed as a final determination of the facts of the incident.

225.5 Responsibilities of Members- Contact Shooting or Serious Injuries or Death

- A. Communications Section** - The Communications Section will contact, in order: the on-duty field supervisor and the on-duty Uniform Services Division commander, (Lieutenant or Commander), **or** Staff Duty Officer, Public Information Officer, the member's supervisor and Commanders, (if different

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from those on duty), the on-call investigator, the on-call Crime Scene Technician, the Investigations Division Commander, Chief of Police, and the collective bargaining unit representative. [GO 302](#)

1. Ensure a major incident log is kept, notify the Communications Section Manager and complete the notification procedure at the direction of the on-duty supervisor or commander.
2. The dispatcher will designate a supervisor to respond, dispatch necessary additional patrol units, make contact with appropriate medical personnel, and notify the Communications Shift Supervisor.

B. Involved Member(s)

1. After due regard for the preservation of human life the involved members will secure the scene and minimize disturbing any evidence. The involved member will attempt to determine the physical condition of any injured person, request medical aid, and render first aid when safe to do so.
2. Any member involved in any shooting will immediately notify the Communications Section of the incident and will request emergency medical assistance, if appropriate.
3. Any members involved in a shooting incident, and members who witness a shooting incident or involved in any incident involving the death or serious injury of another person, are required to submit a detailed, written report to the Agency within 48 hours of the incident, unless otherwise approved by the Chief of Police. Providing a sworn **recorded** statement to an authorized person investigating the shooting incident meets this requirement.

C. First Responding Officer's Responsibilities

1. The first responding officers will check the welfare of members involved, other people involved, provide first aid when appropriate, secure the scene and preserve visible evidence, and brief the on-scene supervisor and investigative personnel.
2. The first responding officers will separate witnesses and obtain preliminary information. Officers will also assist in crowd and media control.
3. An officer will be assigned to accompany the involved member to a medical facility if deemed necessary by the on-scene supervisor/commander and

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will write down or record any statements made, secure evidence, and protect personal property of the involved member.

D. Companion Officer's Responsibilities

1. An assigned companion officer is provided to the involved member for their welfare and safety. The companion officer will remain with them until relieved. The companion officer will transport the involved member to the Agency and maintain contact. If the involved member is at a medical facility, the companion officer will remain until relieved as directed by a police commander.
2. The companion officer will secure a quiet room and facilitate the involved member's contact with clergy if requested by the involved member.
3. The companion officer will facilitate the collection of evidence from the involved member upon request by supervision or crime scene personnel. In most instances, the companion officer should not allow the involved member to wash, change clothes, or appearance until crime scene personnel have obtained photographs and collected other evidence.
4. In the event of biohazard exposure or other hazards, the involved member should be allowed to reduce potential health risks by washing if the collection of evidence is delayed or continued exposure increases health risks.
5. The companion officer will inform the on-duty commander of the involved member's location. In the event the involved member is moved from one location to another, the on-duty supervisor or commander will be notified of the new location.
6. The companion officer will not discuss the incident with the involved member. Communications with the companion officer are not privileged and disclosure may be compelled.

E. On-Scene Field Supervisor's Responsibilities

1. The on-scene field supervisor will ensure adequate personnel and other resources are dispatched to respond to the scene or stage at an appropriate location. The supervisor will ensure the involved member is assigned a companion officer at the scene or other appropriate location. The [On Scene Injury Checklist](#) should be completed at the scene.

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2. The supervisor will assign an officer to transport the involved member to the Agency. If the involved member is transported to a medical facility for treatment, the supervisor will ensure a companion officer is assigned.
3. The supervisor will maintain security of the scene until relieved by the investigating body or another supervisor.

F. Commander (Lieutenant or Division Commander) or Staff Duty Officer

1. A Commander will respond and take over the scene. If the shooting involves a field supervisor, the Commander will designate who will assume the field supervisor's duties. The scene perimeter will be marked by ribbon or rope, if appropriate. The Commander will ensure that the checklist is being followed.
2. The Commander will determine whether the shooting is a contact or a non-contact shooting. If it is a contact shooting, the Commander will establish security until arrival of the Florida Department of Law Enforcement or Major Case Unit. If the shooting is a non-contact shooting, they will conduct the investigation. Death or serious injury to a person other than officer involved shootings should be treated with similar investigative protocol. Furthermore, the Commander will be responsible for the following activities:
 - a. Confirm all appropriate investigative and staff personnel are notified and responding as required. [GO 303](#)
 - b. Monitor the actions and demeanor of the involved members for signs of stress-related reactions.
 - c. Separate all witnesses, including any involved members, before taking any statements.
 - d. If all rounds are not accounted for, a thorough search will be conducted by officers appointed by the commander. An attempt will be made to contact all persons in areas deemed to be appropriate by the commander.
 - e. If appropriate, the commander will complete the [On Scene Injury Checklist](#).

G. Criminal Investigations Division Commander

1. Respond to the scene.

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2. Obtain briefing from the scene commander.
3. Coordinate crime scene security needs with the appropriate field supervisor.
4. If an injury occurred, assign a MCU investigator or supervisor to act as liaison between the Chief of Police and FDLE, if applicable. The MCU investigator's responsibility is to shadow FDLE to provide timely feedback to the Chief of Police.
5. If no injury occurred, assign a detective to investigate the incident.

H. Public Information Officer Responsibilities - The Public Information Officer (PIO) or designee will contact the on-scene supervisor or commander for a briefing. The PIO will prepare an initial press release in cooperation with the investigating personnel and State Attorney's Office personnel. [GO 310](#)

225.6 Internal Review [GO 223](#)

- A. Review Mandatory** - The Internal Affairs Unit will conduct an administrative investigation of all shooting incidents, regardless of whether a criminal case is established against the officer.
- B. Non-Contact Investigation** - If the incident is not handled as a criminal investigation, that is, if it is a non-contact shooting or an accidental discharge, the on duty Watch Commander or on call Staff Duty Officer will have control of the scene and all other aspects of the initial investigation. The report will be forwarded to the IA Unit for follow up per [GO 223](#).
- C. Information Release Prohibited** - The Internal Affairs Unit will not release information from the administrative investigation to the criminal investigators.
- D. Performance Assessment Review System (PARS)** - The investigation will become part of the PARS annual review report as outlined in the PARS General Order [GO 224](#).

225.7 Post-shooting Stress

- A. Debriefing** - A psychological debriefing will be mandatory for any involved officer who discharges a firearm resulting in any injury or death of a person; receives any injury as a result of an assault with a firearm; or is referred by a supervisor following any shooting incident.

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- B. Three Days** - The debriefing will be completed within three calendar days after the incident. No officer will be returned from administrative leave until the debriefing has occurred.
- C. EAP** - The officer's Division Commander will coordinate the scheduling of the psychological appointment with the Employee Assistance Program.

225.8 Status

- A. Assignment** - The member will be placed on administrative leave immediately by the Chief, without loss of pay or benefits, pending the results of the investigation.
- B. Limited Discussion** - The officer will not discuss the case with anyone except his attorney, union representative, the state attorney, or other persons as authorized by the Chief.
- C. Criminal Charges** - If the Office of the State Attorney or any other prosecutor files criminal charges or a grand jury indicts the member, the member will be relieved of duty in accordance with the current collective bargaining agreement.

225.9 Investigative Procedures

- A. Outside Agency** - Deaths involving the actions of an officer (or life threatening injuries), or other member, and in-custody death investigations will be handled by the Florida Department of Law Enforcement (FDLE) or Florida Highway Patrol (FHP).
- B. Contact** - The investigative authority will be contacted by the on-scene commander and respond and establish contact with the on-scene commander and Criminal Investigations Division commander.
- C. Control of Investigation** - The investigative authority and crime scene technicians will assume control of the investigation.
- D. Documentation** - The on scene supervisor will complete an initial incident report that will reflect the investigation has been turned over to FDLE, BCSO, or FHP.
- E. Assistance by Department** - The Palm Bay Police Department will provide any assistance requested by the investigative body.

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Subject: Police Related Death or Injury	General Order: 225

225.10 Reporting

- A. Supplement Reports** - The initial responding witness officers on the scene will complete supplemental reports on the incident or crime that precipitated the shooting, death, or life threatening injury.
- B. Non-Involved Officers** - Primary responsibilities for non-involved members reference the incident.
 - 1. Secure the scene and complete a crime scene log.
 - 2. Render first aid and request appropriate emergency medical services, making note of names of emergency medical services responders for witness list.
 - 3. Witnesses will be separated and an effort will be made to keep them from leaving before the investigative authority can conduct preliminary interviews. If a witness must leave, then the officer will get detailed information for future contact.

225.11 Employee Assistance Program (EAP) Referral

- A. Licensed Psychologist** - The involved member's Division Commander or Fraternal Order of Police (FOP) union representative will make a referral to the EAP prior to the officer returning to full duty by contacting the current EAP provider to schedule an appointment. The officer will be notified of the date, time and location of the appointment for the EAP referral. If the involved officer does not wish to utilize EAP services, they may elect to utilize a licensed psychologist provided by FOP.
- B. Attendance Verified** - The involved member's Division Commander will be responsible for verifying the member's attendance with the EAP or FOP psychologist. A return for full duty clearance must be provided by the psychologist in writing before the officer is permitted to assume full police duty.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Biased Based Profiling	Order No: 226	
Rescinds: GO 226 Revised: 05/07/15	CFA 5th: 2.06	Revised: 06/13/16
Reference: FSS 166.0493, 943.1758, 316.614(a). CJSTC LP, tm2001-16, tm2001-17, tm2002-12, Public Information Brochure-Bias Based Profiling. GO 223, 402		

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226.6	Compliance

226 Policy

- A.** The Agency is committed to unbiased policing, to clarify the circumstances in which officers can consider race/ethnicity when making law enforcement decisions, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in an equitable way.
- B.** It is the policy of the Agency to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority while protecting the rights of all persons. This policy prohibits members from engaging in any manner of bias-based profiling, including, but not limited to traffic contacts, field contacts, and asset seizure and forfeiture efforts.

226.1 Definitions

- A. Biased Based Profiling** - The selection of individuals based solely on a common trait of a group. This includes, but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.
- B. Reasonable Suspicion** - Reasonable or articulable suspicion is suspicion that is more than a mere hunch, but is based on a set of articulable facts and

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circumstances. These facts and circumstances would warrant a person of reasonable caution in believing that an infraction of the law has been committed, or is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be objective observation of a police officer combined with his training and experience and/or reliable information received from credible outside sources.

226.2 Responsibilities - Supervisors will ensure that all personnel in their command are familiar with the content of this policy and are operating in compliance with it.

226.3 Procedures for Policing Impartially

A. Stops - Investigative detentions, traffic stops, arrests, searches, and property seizures by officers are based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, nonconsensual searches, and property seizures.

1. Except as provided below (B), officers will not consider race/ethnicity in establishing either reasonable suspicion or probable cause.
2. Similarly, except as provided below, officers will not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.

B. Information Provided - Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s).

1. Except as provided above (B) race/ethnicity will not be motivating factors in making law enforcement decisions.
2. Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion.

226.4 Preventing Perceptions of Biased Policing

A. Proper Conduct - In an effort to prevent inappropriate perceptions of biased law enforcement, each officer will do the following when conducting pedestrian and vehicle stops. The procedural guidelines for conducting traffic stops are provided in Traffic Enforcement (Stops) [GO 505](#).

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Subject: Biased Based Profiling	General Order: 226

1. Be courteous and professional.
2. Introduce yourself to the citizen (providing name and agency affiliation), and state the reason for the stop as soon as practical, unless providing this information will compromise the enforcement action or investigation.
3. Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense, and that the citizen understands the purpose of reasonable delays.
4. Answer any questions the citizen may have, including explaining options for traffic citation disposition, if relevant.
5. The member will provide his or her name and badge number when requested, in writing or on a business card.
6. Members will provide a courteous and professional explanation if he or she determines that the reasonable suspicion was unfounded (e.g. after an investigatory stop).

B. Training - All sworn enforcement members will attend mandatory training in the prevention of biased based profiling issues including the legal aspects in accordance with Criminal Justice Standard and Training Commission guidelines.

226.5 Community Education and Awareness Efforts - The Agency provides public information pamphlets to persons upon request regarding the Agency's Policy on Bias Based Profiling for distribution in field operations. Officers may distribute the pamphlet to each person claiming that he/she may have been subjected to such activities, whenever appropriate. The Agency's website also provides the information contained in the brochure for public Internet access. In addition, the pamphlet will be made available in DMS if the officer needs to print the brochure.

226.6 Compliance - Violations of this policy will result in disciplinary action as set forth in the Discipline General Order. [GO 402](#)

A. Review - Biased based profiling will be included in the Annual Administrative Review conducted by the Internal Affairs Unit.

B. State Mandatory Reporting - Safety belt usage [316.614\(9\) FSS](#) mandates that law enforcement officers, who issue citations to violators of this law, record the race and ethnicity of the violator for the purpose of reporting to the State of Florida.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Missing/Endangered Persons	Order No: 227	
Rescinds: GO 227 Revised: 05/05/15	CFA 5th: 15.12	Revised: 04/18/18
Reference: FSS 937, Missing Child Report Form, Missing Endangered Person Report Form		
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227 Policy

It is the policy of this Agency that any credible report of a missing person will be investigated promptly using appropriate resources. Attempts to locate a missing person will be made consistent with the laws governing missing persons in Chapter 937 FSS.

227.1 Definitions

- A. Missing Adult** - a person 18 years of age or older whose temporary or permanent residence is in, or is believed to be in, this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency.
- B. Missing Child** - a person younger than 18 years of age whose temporary or permanent residence is in, or is believed to be in, this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency. [GO 228](#) Missing and Abducted Children.
- C. Missing Endangered Person** -

- 1. A missing child;

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Subject: Missing Endangered Persons	General Order: 227

2. A missing adult younger than 26 years of age; or
 3. A missing adult 26 years of age or older who is suspected by a law enforcement agency of being endangered or the victim of criminal activity.
- D. Missing Child Report** - A report prepared on a form prescribed by the Florida Department of Law Enforcement by rule for use by the public and law enforcement agencies in reporting information to the Missing Endangered Persons Information Clearinghouse about a missing child.
- E. Missing Endangered Person** - A report prepared on a form prescribed by the Florida Department of Law Enforcement by rule for use by the public and law enforcement agencies in reporting information to the Missing Endangered Persons Information Clearinghouse about a missing endangered person.

227.2 Jurisdiction

- A. If a missing child or adult was last seen within the city limits of Palm Bay, this agency will investigate the incident in accordance with this directive and [FSS 937.021](#) and [FSS 937.031](#).
- B. If a missing person's last location is unknown and his residence is within the city limits of Palm Bay, this agency will investigate the incident in accordance with this directive and Chapter 937 FSS.

227.3 Assignment of Report

- A. DBS I and DBS II may be utilized to receive reports of missing persons which are not exigent in nature (habitual runaway, etc.). In such cases, the complainant will be requested to report the incident at the police station. The complainant will be instructed to bring a current photograph and a full description of the missing person with him.
- B. A police officer will respond to the complainant's location if:
 1. No DBS I or DBS II is available; or
 2. If the complainant cannot file the report at the police station; or
 3. If exigent circumstances exist, for example, possible abduction, medical emergency, or an immediate search of the surrounding area is indicated.

227.4 Preliminary Responsibilities

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Subject: Missing Endangered Persons	General Order: 227

- A. The investigating officer will determine if the missing subject is endangered as defined in Section 227.1.C.
- B. If the missing person is endangered, the officer will immediately broadcast a description of the person to all on duty officers. The Communications Center will issue a countywide bulletin describing the missing endangered person and details regarding the incident. The on call Major Case Unit detective will be called out and will respond to the scene to begin the investigation. If the missing person is 17 years of age or younger, the on call Special Victims Unit detective will be call out and will respond to the scene to begin the investigation.
- C. If circumstances indicate a need for a search of the immediate area, all available officers may be summoned to assist. When available, a canine team should respond to assist in the search. Use of aircraft and other outside resources should also be considered.
- D. If the missing person is a small child, or is mentally or physically disabled to the point that his safety is threatened, or is missing under suspicious circumstances, a supervisor will respond to the scene.
- E. The Fire Department will be requested to conduct a search of hazardous areas in the immediate vicinity of the location of disappearance. Those locations include nearby canals, sewers, swimming pools, etc.
- F. In the event the Fire Department aids in the search, a unified command will be established. The police supervisor and the fire supervisor will command their respective resources from the same location to aid in communication and to eliminate duplication of effort.
- G. The police supervisor will evaluate the circumstances to determine which of the following resources will be activated.
 - 1. [Child Abduction Response Team \(CART\)](#) will be requested without delay if a child under the age of 18 is missing under suspicious circumstances or there is reason to believe that the child has been abducted by a person other than the parent. See [GO 228.](#)
 - 2. [Amber Alert Plan](#) (follow link for details) will be activated if there is a clear indication that a child under the age of 18 has been abducted and his/her life is in danger. A detailed description of the child and/or abductor/vehicle must be available for broadcast. The activation must be recommended by the law enforcement agency investigating the incident. See [GO 228.](#)
 - 3. [Silver Alert Plan](#) (follow link for details) will be activated if there is a clear indication that an individual over 60 years old has an irreversible

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deterioration of intellectual faculties (i.e., dementia), verified by law enforcement. Under extraordinary circumstances the plan may be activated when a person 18 to 59 has irreversible deterioration of intellectual faculties and law enforcement has determined the missing person lacks the capacity to consent, and the use of dynamic message signs may be the only possible way to rescue the missing person.

4. When appropriate, [A Child is Missing Alert \(ACIM\)](#) will be activated through the Communications Center upon request from the supervisor. This system notifies citizens of the missing person (juvenile, elderly, or disabled) utilizing recorded messages distributed throughout a known geographical area. Information required to send this alert is:
 - a. Reporting agency
 - b. Officer name and contact number
 - c. Case number
 - d. Name and complete description of missing person
 - e. Location last seen, zip code, county and desired area for search
 - f. Time and date last seen
 - g. Police department number for citizens to report sightings
5. **Media Alert (813) 282-8612 (voice mail)** - Media Alert is a conduit between the Public Information Officer and television, radio, and newspaper editors to provide important news to the public. This service is provided to local law enforcement agencies free of charge. Media Alert is an Internet technology based system that requires an entry, log-in, and password code. An assigned person within the agency can log on and enter the information to be broadcast to media outlets. This system also allows for photographs. For access to this system, go to www.mediaalert.com and click on the "PIO Signup sheet", and follow the instructions listed.
6. **Florida Department of Elder Affairs (850) 414-2000** - The Florida Department of Elder Affairs can provide an e-mail alert notification through the Aging Services Network, which includes area agencies on aging, community care lead agencies, providers and volunteers. Local law enforcement can provide the Department of Elder Affairs with the missing persons' flyer or information via email.

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7. [Project Lifesaver](#) - Project Lifesaver is a Plan aiding the victims and families suffering Alzheimer's disease and related disorders such as Down's syndrome and Autism. Project Lifesaver uses state-of-the-art technology employing wristband transmitters to locate wandering and lost adults and children.
- H. If neither an Amber Alert nor a Silver Alert has been activated and the missing person is endangered, the investigating officer will notify the Florida Department of Law Enforcement (FDLE) Missing Endangered Person Information Clearinghouse immediately at (888)356-4774.
- I. The investigating officer will advise the reporting person to remain at the residence in case the missing person phones or returns.
- J. If the missing person is found deceased, the area will be preserved as a crime scene until determined otherwise.
- K. When members of the Investigations Division respond, the investigation responsibility will transfer to them. A supplement report will be submitted by the initial investigating officer (USD).

227.5 Reporting Procedures

- A. After determining the status of the reported missing person (missing or missing endangered), the primary responding officer will complete the appropriate form. The form must be signed by the reporting person. However, an officer may not require the reporting person to order that a child be taken into custody before accepting the report.
 1. Missing child - Completed in In-Field prior the end of shift. At minimum, the primary officer will complete a cover page and persons page(s) with all pertinent physical descriptors that will be forwarded to the Communications Center for entry into FCIC/NCIC within the two-hour mandatory entry window.
 2. Missing adult under 26 - Completed in In-Field prior the end of shift. At minimum, the primary officer will complete a cover page and persons page(s) with all pertinent physical descriptors that will be forwarded to the Communications Center for entry into FCIC/NCIC within the two-hour mandatory entry window.
 3. Missing adult 26 or older who is suspected by the investigating officer to be endangered or the victim of criminal activity. At minimum, the primary officer will complete a cover page and persons page(s) with all pertinent physical descriptors that will be forwarded to the Communications Center

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for entry within the two-hour mandatory entry window. The completed report will be turned in before the end of shift.

4. Missing adult 26 or older with no suspicious circumstances - Neither Missing Person Form - Within two hours of receiving a credible report of a missing adult, the investigating officer will submit the report to the Communications Center for inclusion within the Florida Crime Information Center (FCIC) and the National Crime Information Center (NCIC) databases.
- B.** Having received a missing child report from a parent, guardian, Department of Children and Family Services, a community-based care provider, or a sheriff's office providing investigative services for the department, or having received any other missing endangered person report, the investigating officer will **immediately:**
1. Inform all on-duty law enforcement officers of the incident and description of the missing person
 2. Request the Communications Center notify all county law enforcement agencies of the report and description of the missing person
 3. Submit the report to the Communications Center for inclusion within the Florida Crime Information Center (FCIC) and the National Crime Information Center (NCIC) databases. At minimum, the primary officer will complete a cover page and persons page(s) with all pertinent physical descriptors that will be forwarded to the Communications Center for entry within the two-hour mandatory entry window. The completed report will be turned in before the end of shift.
- C.** In addition to the forms listed above, the following are required for all missing persons investigations:
1. Offense Incident Report
 2. Persons Report
 3. Narrative Report
 4. Witness statements
 5. Recent photo, if available
- D.** A copy of the entire report will be placed in the hot box and an email will be sent to the "Police Investigations Supervisors" if no investigator responded to the scene.

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227.6 Investigative Responsibility

- A. The Investigations Division is responsible for all missing persons investigations.
- B. All missing persons reports will be reviewed each month to determine if the case should remain in the FCIC/NCIC database. No missing person will be removed from the databases due to age alone.
- C. If the missing person is not recovered within thirty days of the report, the assigned investigator will obtain a letter of consent to contact the missing person's dentist. The dentist is required to provide dental records of the missing person upon receipt of the letter of consent. The encoded dental records will be entered into NCIC by the Communications Center.
- D. If the missing person is not recovered within ninety days of the report, the assigned investigator will attempt to obtain a DNA reference sample of the missing person. The reference sample will be submitted to the Florida Department of Law Enforcement Lab.

227.7 Recovery

- A. If the missing person returns home or is located, the investigating officer will ensure that information about the case is immediately purged from the Florida Crime Information Center and the National Crime Information Center databases.
- B. All entities which were assisting in the investigation will be notified that the missing person has been located. This includes deactivation of the Amber Alert Plan, notification of the Missing Endangered Persons Information Clearinghouse, and notification of the Child Abduction Response Team (if previously activated).

227.8 Responding to Unidentified Person: An officer assigned to the report of an unidentified person, whether living or deceased, who appears to be a child, shall:

- A. Immediately contact CID to respond to the scene if the unidentified person is deceased.
- B. Obtain a complete description.
 - 1. Officers who are assigned to this task should use standardized information-gathering forms such as the NCIC Unidentified Person File Worksheet and data-collection guide. This information should be gathered in cooperation

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with the medical examiner or coroner. In cases involving skeletal, consideration should be given to consulting with a Forensic Anthropologist and Forensic Odontologist to ensure all pertinent and accurate information has been gathered. NCMEC's Forensic Services Unit can provide assistance in this area.

- C. Enter the unidentified child's description into the NCIC Unidentified Person File.
- D. Use all available resources to aid in identification of the child.
- E. NCMEC's Forensic Services Unit; NamUs (National Missing and Unidentified Persons System); missing-children clearinghouses; and other professionals, such as medical examiners, may be of assistance in the identification.
- F. Cancel all notifications after identification is confirmed.

227.9 Responding to the Recovery or Return of a Missing Child: An officer assigned to the recovery or return of a missing child shall:

- A. Verify the located child is, in fact, the reported missing child.
- B. Secure intervention services, if appropriate.
- C. Arrange the return of the child to his or her legal guardian or an appropriate shelter in the case of a runaway or missing child from within jurisdiction who has been located and who is not wanted on a warrant or other law violation.
- D. Place the child in custody and transport him or her to the appropriate facility for in the case of a runaway from another jurisdiction or from out-of-state has been located and for whom a warrant exists or for whom an NCIC missing-person "hit" is verified.
- E. Along with cancellation of the FCIC/NCIC Missing Person entry and notifications regarding the case, a supplemental report should be completed describing the child's activities while missing and circumstances of the recovery/return.

[<Missing Person Questionnaire>](#)

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Rescinds: GO 228 Revised: 09/06/16	CFA 5th: 15.12	Revised: 04/18/18
Reference:		
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228 General

The purpose of this policy is to establish guidelines and responsibilities regarding this agency's response to reports of missing children.

228.1 Policy Statement

- A.** It shall be the policy of this agency to thoroughly investigate all reports of missing children. Additionally every child reported missing to this agency will be considered at risk until significant information to the contrary is confirmed.
- B.** Jurisdictional conflicts are to be avoided when a child is reported missing. If a missing child either resides in, or was last seen in this jurisdiction, this agency will immediately initiate the required reporting process. If a child resides in this jurisdiction and was last seen in another jurisdiction, but the law-enforcement agency covering that jurisdiction chooses not to take a missing-child report, this agency will assume reporting and investigative responsibility and coordinate with the other jurisdiction as appropriate.
- C.** Questions concerning parental custody occasionally arise in relation to missing-child reports. It shall be the policy of this agency to accept the report of a missing child even if custody has not been formally established. Reporting parties shall be encouraged to obtain legal custody as soon as possible; however, since the safety of the missing child(ren) is paramount, members of

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this agency will open a case when it can be shown the child has been removed, without explanation, from his or her usual place of residence. If custody has not been established by the Court, then the law-enforcement responsibility is to ensure the child is safe only.

D. NCIC entry of missing person will be completed as below:

1. Missing person(s) 27 and over will be entered into the NCIC system within (12) hours of being reported.
2. Missing person(s) 26 and younger will be entered into NCIC immediately, but in no case no later than two hours.
3. Missing person(s) that are critical (children, elderly, foul play, out of character...etc.) will be entered into NCIC immediately.

228.2 Definitions

A. The term missing child refers to a person who is:

1. Younger than 18 years of age; and
2. Whose whereabouts are unknown to his or her custodial parent, guardian, or responsible party.

B. A missing child will be considered at risk when one or more of the risk factors noted below are present:

1. 12 years of age or younger, or
2. 17 years of age or younger AND believed or determined to be experiencing one or more of the following circumstances:
 - a. Is out of the zone of safety for his or her age and developmental stage. The zone of safety will vary depending on the age of the child and his or her developmental stage. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian or the crib, stroller, or carriage in which the infant was placed. For a school-aged child the zone of safety might be the immediate neighborhood or route taken between home and school.
 - b. Has mental or behavioral disabilities. If the child is developmentally disabled or emotionally/behaviorally challenged, he or she may have difficulty communicating with others about needs, identity, or address. The disability places the child in danger of exploitation or other harm.

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- c. Law enforcement is presented with several unique challenges when responding to, searching for, and recovering a missing Autistic child, such as:
 - Children often seek bodies of water.
 - A tendency for the child to wander or elope.
 - A tendency to seek small enclosed spaces which may be overlooked during initial searches.
 - Eluding or hiding from searches.
 - Some children may have a diminished sense of fear.
 - Being unable to respond to search teams.
 - Some children are very resilient.
 - Unique behaviors (no children are alike).
 - Very specific interests or fascinations to the child (active roadways, road signs, trains, fire trucks, etc.)
- d. Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening. Any drug dependency puts the missing child at risk. The diabetic or epileptic child requires regular medication or his or her condition may become critical. The abuser of illegal drugs, on the other hand, may resort to crime or become the victim of exploitation.
- e. Has been absent from home for more than 24 hours before being reported to law enforcement as missing. While some parents may incorrectly assume 24 hours must pass before law enforcement will accept a missing-person case, a delay in reporting might also indicate the existence of neglect, abuse, or exploitation within the family.
- f. Is in a life-threatening situation. The environment in which the child is missing may be particularly hazardous. Examples of a dangerous environment could be a busy highway for a toddler, a commercial area for a teenager, or an outdoor environment in inclement weather for a child of any age.

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- g. Is in the company of others who could endanger his or her welfare. A missing child in such circumstances is in danger not only of sexual exploitation, but also of involvement in criminal activity such as burglary, shoplifting, and robbery or other violent crimes.
- h. Is absent in a way inconsistent with established patterns of behavior and the deviation cannot be readily explained. Most children have an established and reasonably predictable routine. Significant, unexplained deviations from that routine increase the probability of risk to the child.
- i. Is involved in a situation causing a reasonable person to conclude the child should be considered at risk. Significant risk to the child can be assumed if investigation indicates a possible abduction, violence at the scene of an abduction, or signs of sexual exploitation.

C. Actions upon determination of risk factors.

- 1. If it is determined risk factors are involved in the report of a missing child, the child will be considered at risk, and an expanded investigation, including the use of all appropriate resources, will immediately commence. While all missing-child incidents should be thoroughly investigated, those involving risk factors indicate a heightened likelihood of danger to the child and, therefore, require an intensive response.
- 2. Once notified a missing child is considered at risk, a supervisor shall immediately report to the scene. Once the supervisor concurs the missing child meets the at risk criteria, the Special Victims Unit will be requested to respond to the scene and notifications will be made up the chain of command to the Chief of Police.

228.3 Procedures

- A. Communications personnel receiving the report of a missing child shall:
 - 1. Determine if circumstances of the report meet the definition of a missing child as set forth in Section III.
 - 2. Dispatch, in a prompt manner, an officer to the scene of the report.
 - 3. Notify a supervisor, followed by the Chain of Command.
 - 4. Transmit the appropriate radio alerts and other notifications.

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5. Search agency records for related information, specifically any records such as those pertaining to the family, the place where the child was last seen, and the child's residence.
 6. Safeguard all pertinent records, recording tapes and hard-drives by placing them into evidence.
 7. Activate established protocols for working with the media — including notifying the Public Information Officer (PIO) and preparing for the activation of the AMBER Alert system and/or other immediate community-notification methods such as an Endangered Missing Advisory (EMA), when appropriate.
 - a. An EMA is an emergency notification system for people (adult and children) who have been reported missing and believed to be in danger. The EMA also provides a tool to law enforcement to safely recover missing children who do not fit the AMBER Alert criteria. Law enforcement can choose between AMBER and EMA based on the individual case and the appropriate criteria.
 - b. Issuance of an EMA can help raise awareness of the dangers that missing persons face and reduce the pressure on police to issue an AMBER Alert in cases that do not fit the criteria. More important, the EMA provides a strategy for law enforcement to notify the public and save lives.
- B. The Initial Officer or first responder assigned to the report of a missing child shall:**
1. Respond promptly to the scene of the report activating patrol-vehicle mounted video camera if circumstances warrant.
 - a. Even if the assigned officer has been provided with initial information such as the missing child's description and other facts about the incident, it would be inappropriate to delay response to conduct a random search by doing things such as circling through parks, checking playgrounds, or stopping suspicious individuals. Unless in immediate response to the missing child's safety, these activities can be handled by other patrol units.
 2. Reference an Investigative Checklist for First Responders as distributed by the NCMEC and utilize the attached Missing Person Checklist and Questionnaire.
 - a. These will become a permanent part of the case file.

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3. Interview the parent(s) or person making the initial report.
 - a. Gain an insight into the circumstances surrounding the missing episode and other information needed to conduct an initial assessment of the case.
 - b. All details should be thoroughly documented for more in-depth review later by investigative personnel who can compare statements made with investigative facts.
4. Obtain a detailed description of the missing child including photo(s) and videos if available.
 - a. The collection of information about the missing child, including race, height, weight, hair and eye color, clothing, and other noteworthy features, should be done promptly and relayed to other officers who may be assisting in the investigation.
 - b. Photos should be the most accurate representation available of the missing child. If no photos are immediately believed to be available, several areas commonly forgotten would include cell phones with cameras as well as photos included on social-networking sites.
5. Confirm the child is in fact missing.
 - a. Even if advised the area has already been searched by family or reporting parties, responding officers should never assume searches conducted by others have been performed in a thorough manner.
 - b. Another check of the scene should be made and include places where children could be trapped, asleep, or hiding. Special attention should be paid to enclosures such as refrigerators, freezers, and the interior of parked vehicles where limited breathing air may place the child at even greater risk.
 - c. In the case of older children, first responders should ask if parents have checked with the child's friends or perhaps overlooked or forgotten something the child may have said that would explain the absence.
 - d. A search of the home should be conducted even if the missing child was last seen elsewhere and even if the parents/caregivers say they have searched the home.
6. Verify the child's custody status.

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- a. First responders should ascertain if a dispute over the child's custody might have played a role in the missing episode or might constitute a risk factor. Questions regarding whether the reporting party has legal custody.
 - b. If the noncustodial parent has been contesting custody, or if the missing child expressed a desire to live with the other parent, this information may help an officer gain important insight into the case.
- 7. Identify the circumstances of the missing episode.
 - a. First responders need to ascertain whether the circumstances are such that a heightened level of response is warranted.
 - b. If risk factors exist, as defined in Paragraph B of Section III, then the decision to employ additional response methods is clear.
 - c. In other situations where the circumstances are not clear, officers should keep the missing child's safety in mind and act accordingly.
- 8. Determine when, where, and by whom the missing child was last seen.
 - a. This information is needed to determine factors such as abduction time frame, windows of opportunity, and verification of previously received information.
 - b. Interview family members, friends/associates of the child, and friends of the family to determine when each last saw the child, what they think happened to the child, and if the child had complained about being approached by anyone.
 - c. Comparison of information gathered from the reporting party, witness, and other sources may prove vital to case direction.
- 9. Interview the individual(s) who last had contact with the missing child.
 - a. Effective questioning of those individuals who last saw or spoke with a missing child is crucial in the case-assessment process. While seeking information about the child's appearance, demeanor, and actions, officers should also be alert to any contradictions made or evasiveness by the witness, especially if these statements cannot be readily corroborated.

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- b. Thorough documentation will allow investigative personnel to later compare those statements with the facts of the case as they are uncovered.

10. Identify the missing child's zone of safety for his or her age and stage.

- a. Responding officers should attempt to determine how far a missing child could travel from the location where last seen before he or she would most likely be at risk of injury or exploitation. This perimeter should, under many circumstances, define the first search zone.

11. Make an initial assessment of the type of incident.

- a. By employing all available assessment tools (i.e., completion of standardized forms; interviews with parents, other family members, and friends; statements of witnesses; and search of scene) an officer should be able to reach a preliminary determination regarding the type of case and the need for additional resources.
- b. Officers must be cautious in "labeling" or classifying a missing-child case, since the classification process will impact the way in which initial information or evidence is gathered. Even if first indications suggest a "less urgent" or runaway incident, officers should consider all possibilities until the case category is clearly determined.

12. Obtain a description of the suspected abductor(s), if any, and other pertinent information.

- a. Officers need to immediately record witness information, not only for general investigative use, but also before witnesses forget or speak to others who may confuse or make up what was actually observed.
- b. If the abduction scene or incident scene involves a business or other public place, officers may be able to supplement witness information with video from security cameras that might provide crucial information about the suspect, vehicles, and circumstances.
- c. In the case of a suspected family abduction, the reporting party may have photos of the abductor or other valuable information.

13. Provide detailed descriptive information to dispatch for broadcast updates.

- a. As information becomes available regarding the missing child's physical appearance, circumstances of the case, or description of the potential

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abductor, the initial officer should ensure other officers and agencies are provided with up-to-date information.

14. Identify and separately interview everyone at the scene.

- a. The name, address, home and work phone numbers of everyone present at the scene, along with his or her relationship to the missing child, should be recorded.
- b. If possible, include them in photos and/or videos of the incident scene.
- c. Interview each person privately in an effort to uncover information instrumental in resolution of the case.

15. Conduct an immediate, thorough search of the scene.

- a. With the assistance of additional personnel, a systematic, thorough search of the incident scene should be conducted.
- b. If appropriate, officers should obtain written permission to search houses, apartments, outbuildings, vehicles, and other property that might hold information about the child's location.
- c. Officers are again reminded to conduct a thorough, immediate search of the child's home and property - even if the child was last seen at another location.
- e. Evaluate the contents and appearance of the child's room/residence.
- f. When possible officers may also search a missing child's school locker for potential information.

16. Consider sealing/protecting scene, area of child's home, and areas of interest as potential crime scenes.

- a. First responders might need to take control of the immediate area where the incident occurred and establish an appropriate perimeter to avoid destruction of vital evidence.
- b. Extend search to surrounding areas and vehicles including those that are abandoned and other places of concealment such as abandoned appliances, pools, wells, sheds, or other areas considered "attractive nuisances."

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- c. In addition to external crime scenes, the missing child's home, and particularly his or her bedroom, might need to be secured and protected until evidence and identification material such as hair, fingerprints, or other items are collected.

17. Inquire if the child has access to the Internet, cell phone, and/or other communications device.

- a. Before making an initial decision the child has run away, an officer should determine if the child may have left to meet someone he or she encountered while online. Since some offenders are known to use the Internet to identify vulnerable children, what appears at first to be a runaway case, may, in fact, be a child abducted or enticed to leave by someone the child first met online. Even if a child willingly decides to leave home to join someone they first met online, the child should be considered at risk.
- b. Since many children have their own cell phones/other electronic communications devices and may have them while missing, an officer should note these devices during the information-gathering process.

18. Prepare necessary reports and complete appropriate forms.

- a. Officers should prepare a chronological account of their involvement and actions in the case from time of assignment to the point of dismissal. Reports should include everything, not just events seeming to have a direct bearing on the case.
- b. At minimum, the primary officer will complete a cover page and persons page(s) with all pertinent physical descriptors that will be forwarded to the Communications Center for entry within the two-hour mandatory entry window. The completed report will be turned in before the end of shift.

C. The **supervisor** assigned to the report of a missing child shall:

- 1. Establish a command post and assume incident command. Notify the USD Watch Commander.
 - a. A command post is to be used as a center for organizing personnel, launching and monitoring search and rescue operations, and directing investigative efforts as well as a focal point for deciding the division of investigative labor on-site, administering on-site change of command, responding to investigative inquiries, and gathering intelligence.

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- b. As a general rule the command post should be close enough to the center of activity to facilitate control and coordination, but sufficiently isolated to allow a free exchange of ideas among responders. Establish a command post away from the child's residence.
- 2. Obtain a briefing from the first responder(s) and other agency personnel at the scene.
 - a. The briefing should be conducted away from family, friends, or any other individuals who may be present, allowing officers to speak freely about case circumstances and pass along initial impressions.
- 3. Determine if additional personnel and resources are needed to assist in the investigation.
 - a. Depending on the situation, a supervisor may determine if additional personnel, including specialized units, and/or fire department personnel should be called to the scene or otherwise assist in the investigation and search.
 - b. Certain cases may also require the supervisor to activate existing interagency response protocols as established by mutual-aid agreements or memorandums of understanding.
 - c. Confirm all required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
 - d. Contact the National Center for Missing and Exploited Children for further assistance through a Case Manager at 1-800-843-5678. This would also be the same contact number to request the assistance of Team Adam.
- 4. Organize and coordinate search efforts pending the arrival of search team assistance.
 - a. Systematic searches are common features of missing-child investigations. A supervisor should appoint a search operation coordinator who can oversee the search effort while the supervisor remains available to manage the entire investigation.
- 5. Ensure all required notifications have been made.
 - a. If the missing child is deemed to be kidnapped, abducted or endangered and is 17 years or younger, the on-call Special Victims Unit detective

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should be notified and respond to the scene. If the person is 18 years or older refer to GO227.

- b. The supervisor should ensure all officers, other departments and agencies, and all investigative networks are supplied with accurate details. Prepare a flier/bulletin with the child/abductor's photo and description. Distribute in appropriate geographic regions. NCMEC is able to assist with this step.
6. Ensure the FCIC/NCIC entry is made prior to the two-hour cutoff.
 7. Assign a liaison with the victim family
 - a. Families of a missing child will experience extreme stress. Supervisors should assign a liaison to the victim family who can explain what investigative actions are being employed and what they can do to assist in the search. In addition the liaison can help the family work with the media.
 8. Confirm all agency policies and procedures are observed.
 9. Manage media relations and establish a media staging area.
 - a. Supervisors should manage media presence in a way to complement rather than conflict with the investigation until a department PIO or Media spokesperson arrives.

D. The investigator assigned to the report of a missing child shall:

1. Obtain a briefing from agency personnel at the scene.
 - a. This briefing should be conducted prior to interviews with family members of the missing child or witnesses who may have been identified during the initial stage of the case.
2. Verify the accuracy of all descriptive information.
 - a. During the interview process the investigator should be alert to facts or statements in conflict with those gathered by the first responder.
3. Initiate a neighborhood investigation/canvass.
 - a. A thorough canvass of the neighborhood should be conducted without delay. The objective is to identify and interview all people within the

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abduction zone who may be able to provide information related to the incident.

- b. Investigators should use a standardized set of questions during the canvass to ensure completeness and uniformity of information and facilitate establishment of an organized system to track leads.
 - c. A record should also be made of all vehicles parked within the neighborhood and any other conditions that may have future investigative value.
 - d. Access should also be made to Sex Offender Registries to determine if individuals designated as sex offenders reside, work, or are otherwise associated with the area.
4. Obtain a brief history of recent family dynamics.
- a. Information about family dynamics, obtained from family members, neighbors, teachers, classmates, employers, coworkers, friends, and witnesses.
 - b. Records of family contact maintained by law-enforcement agencies, social-service departments, schools, and other organizations should also be obtained and evaluated.
5. Explore the basis for any conflicting information.
- a. Investigators should “compare” with the first responder, fellow investigators, and other agency personnel to identify and work through conflicting information. This collaborative evaluation will provide the investigative staff with a solid foundation upon which to structure future case directions. Correct and investigate the reasons for any conflicting information.
6. Complete all remaining key investigative and coordination steps. Key investigative steps include, when applicable:
- a. Collecting articles of the child’s clothing for scent-tracking purposes; reviewing and evaluating all available information and evidence collected.
 - b. Securing the child’s last medical and dental records.
 - c. Contacting landfill management and requesting delay or segregation of garbage and dumping containers from key investigative areas.

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- d. Developing and executing an investigative plan; conducting a criminal-history background check on all principal suspects, witnesses, and participants in the investigation.
 - e. Establishing a phone hotline for receipt of tips and leads.
 - f. Considering establishing an e-mail address or other methods of electronically receiving leads.
 - g. Implement effective case management.
 - h. Evaluate the need for additional resources and specialized services (Mutual Aid, FBI, NCMEC, Team Adam, etc.).
 - i. Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
7. Update descriptive information.
- a. If it appears the case will not be promptly resolved, investigators should ensure the descriptive record, especially the information entered into the NCIC Missing Person File, is updated to include dental characteristics, scars, marks, tattoos, and fingerprints along with additional articles of clothing, jewelry, or unique possessions.
8. Monitor media relations.
- a. While information gained through effective media relations is often of significant value in a missing-child case, investigators should review all notices prior to release to ensure investigative objectives are not unintentionally compromised.
9. Criminal Investigations personnel are responsible for all follow-up activities while the investigation is active.

228.4 Responding to Unidentified Person

An officer assigned to the report of an unidentified person, whether living or deceased, who appears to be a child, shall:

- A. Immediately contact CID to respond to the scene if the unidentified person is deceased.
- B. Obtain a complete description.

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1. Officers who are assigned to this task should use standardized information-gathering forms such as the NCIC Unidentified Person File Worksheet and data-collection guide. This information should be gathered in cooperation with the medical examiner or coroner. In cases involving skeletal, consideration should be given to consulting with a Forensic Anthropologist and Forensic Odontologist to ensure all pertinent and accurate information has been gathered. NCMEC's Forensic Services Unit can provide assistance in this area.
- C.** Enter the unidentified child's description into the NCIC Unidentified Person File.
- D.** Use all available resources to aid in identification of the child.
1. NCMEC's Forensic Services Unit; NamUs (National Missing and Unidentified Persons System); missing-children clearinghouses; and other professionals, such as medical examiners, may be of assistance in the identification.
- E.** Cancel all notifications after identification is confirmed.

228.5 Responding to the Recovery or Return of a Missing Child

An officer assigned to the recovery or return of a missing child shall:

- A.** Verify the located child is, in fact, the reported missing child.
- B.** Secure intervention services, if appropriate.
- C.** Arrange the return of the child to his or her legal guardian or an appropriate shelter in the case of a runaway or missing child from within jurisdiction who has been located and who is not wanted on a warrant or other law violation.
- D.** Place the child in custody and transport him or her to the appropriate facility for in the case of a runaway from another jurisdiction or from out-of-state has been located and for whom a warrant exists or for whom an NCIC missing-person "hit" is verified.
- E.** Along with cancellation of the NCIC/FCIC Missing Person entry and notifications regarding the case, a supplemental report should be completed describing the child's activities while missing and circumstances of the recovery/return.

228.6 Quality Assurance Review

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- A. Calls in which it is determined that a child is actually missing and endangered or abducted will be forwarded by the Special Victims Unit Sergeant to the Investigations Commander for review.
- B. The Investigations Commander shall review the call to ensure all the appropriate steps and procedures were followed and provide feedback to those involved in the processing, dispatching and responding to the incident, as well as the respective Supervisor(s).

<Investigative Checklist Initial Responding Officer>

<Investigative Checklist Supervisor>

<Investigative Checklist Investigator>

<Missing Person Questionnaire>

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Incident Command System (ICS)	OM No: A215	
Rescinds: OMA 215 Revision: 05/04/15	CFA 5th: 17.01	Revised: 05/10/17
Reference: GO 215, 218, City CEMP Manual, Incident Command Log.		

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215 Policy

- A.** Many incidents, whether major accidents (such as HazMat), minor incidents, (i.e., fires and utility outages), emergencies and major disasters, (i.e., tornados, hurricanes and floods), or special law enforcement issues (i.e., barricaded gunman or missing persons), require a response from a number of different agencies. Regardless of the size of the incident or number of agencies involved, all incidents require a coordinated effort to ensure an effective response and the efficient, safe use of resources. Incident objectives are always based on the following priorities listed in the order of importance:

- 1.** Life Saving

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2. Incident Stabilization
 3. Property Preservation
- B. The Incident Command System (ICS) is the model tool for command, control and coordination of a response and provides a means to coordinate the efforts of individual agencies as they work toward the common goal of stabilizing the incident and protecting life, property, and the environment.
 - C. ICS will be instituted whenever a call for service has the potential for extended duration, the involvement of multiple public service assets, requires significant manpower allocation, or necessitates a significant interruption of regular services to the public. Any supervisor faced with these criteria may institute ICS.
 - D. Agency members assigned to act within an established ICS by another city, county or state entity will function at the direction of the Incident Commander (IC) or designee.
 - E. The Agency has an established Command Post Team (CPT) that will be utilized in the event that an incident extends beyond the resources available to the on duty shift or at any time deemed necessary by the on-duty commander or any Division Commander.
 1. Based on known information and recommendations, field command posts may be established as needed.
 2. Field command posts will support the POC, if activated

215.1 Definitions

- A. **Area Command** - An organization which is established to oversee the management of multiple incidents that are each being handled by a separate Incident Command System organization or to oversee the management of a very large or evolving incident that has multiple incident management teams engaged.
- B. **Branch** - The organizational level having function, geographical, or jurisdictional responsibility for major parts of the incident operations.
- C. **Chain of Command and Unity of Command** - Chain of command refers to the orderly line of authority within the ranks of the incident management organization. Unity of command means that every individual has a designated supervisor to whom he or she reports at the scene of an incident.

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- D. Command Staff** - Is assigned to carry out staff functions needed to support the IC. These functions include interagency liaison, incident safety, and public information.
- E. Division** - The organizational level having responsibility for operations within a defined geographic area.
- F. Establishment and Transfer of Command** - The command function must be clearly established from the beginning of an incident. When command is transferred, the process must include a briefing that captures all essential information for continuing safe and effective operations.
- G. General Staff** - Represents and is responsible for the functional aspects of the incident command structure. The General Staff typically consists of the Operations, Planning, Logistics, and Finance/Administration Sections.
- H. Group** - Established to divide the incident into functional areas of operation.
- I. Incident Action Plan (IAP)** - Provides a coherent means of communicating the overall incident objectives in the context of both operational and support activities.
- J. Incident Commander (IC)** - The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the site.
- K. Information Officer** - Responsible for the collection and release of information about the incident to the new media and other appropriate agencies and organizations. The Information Officer reports to the IC.
- L. Liaison Officer** - Responsible for interacting (by providing a point of contact) with the assisting and cooperating agencies, including fire agencies, the American Red Cross, other law enforcement agencies, public works, and engineering organizations, etc. When other agencies assign representatives to the incident, the Liaison Officer will coordinate their activities. The Liaison Officer reports to the IC.
- M. Logistics Section** - Responsible for providing facilities, services, and material support for the incident.
- N. Manageable Span of Control** - Span of control is essential to effective and efficient incident management. Within ICS, the span of control of any individual with incident management supervisory responsibility should range from 3 to 7 subordinates.

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- O. Operations Section** - Responsible for all tactical incident operations and implementation of the IAP.
- P. Planning Section Chief** - Responsible for the collection, evaluation, dissemination, and use of information regarding the development of the incident and status of resources. The Planning Section Chief reports to the IC.
- Q. Safety Officer** - A member of the command staff who is responsible for monitoring and assessing hazardous and unsafe situation and developing measures for assuring members safety. The Safety Officer corrects unsafe acts or conditions through the regular line of authority, although they may exercise emergency authority to stop or prevent unsafe acts when immediate action is required. The Safety Officer maintains an awareness of active and developing situations, approves the medical plan (if implemented), and includes safety messages in each IAP. This position reports to the IC.
- R. Section** - The organization level having function responsibility for primary segments of incident management (Operations, Planning, Logistics, Finance/Administration).
- S. Single Resource** - An individual piece of equipment and its personnel complement, or an established crew or team of individuals with an identified work supervisor that can be used on an incident.
- T. SMART Objectives:**
1. Specific - Wording is precise and easy to understand.
 2. Measurable - Specific factors set to determine progress of the IAP.
 3. Action Oriented - Used to describe expected accomplishments.
 4. Realistic - Outcome must be achievable with the given resources.
 5. Time Sensitive - When able, time frames should be given in order to determine if objectives are being done as effectively as possible.
- U. Strike Team** - Specified combination of the same kind and type of resources, with common communications and a leader.
- V. Task Force** - A group of resources with common communications and a leader that may be pre-established and sent to an incident, or formed at an incident.

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W. Unified Command - In incidents involving multiple jurisdictions, a single jurisdiction with multiagency involvement, or multiple jurisdictions with multiagency involvement. Unified Command allows agencies with different legal, geographic, and function authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.

X. Unit - An element having functional responsibility for a specific incident planning, logistics, or finance/administration activity.

215.2 Organization

A. ICS is supported through five major components:

1. Incident Command
2. Operations Section
3. Logistics Section
4. Planning Section
5. Finance/Administration Section

B. Incident Command - A standardized management tool for meeting the demands of small or large emergency or nonemergency situations. ICS may be used for planned events, natural disasters, or acts of terrorism.

1. The command function is directed by the Incident Commander (IC), who is the person in charge of the incident. Initially, the IC will be the senior first responder on the scene or designated by the supervisor or a USD Lieutenant or Division Commander. For large scale events, the Division Commander should assume the IC position unless he/she determines a transfer in command is not necessary.
2. Command of the incident will transfer based on which entity (USD, MCU, etc.) has primary authority for the overall management or control of the incident.
3. When the Agency has primary authority for the overall management or control of the incident; command may transfer based on rank, position or by designation of ranking authority.
4. Any Commander, Supervisor or senior first responder is authorized to initiate the ICS and act as the IC until relieved as prescribed in this directive.

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5. Prior to the transfer of command, the out-going commander will provide a detailed briefing of the incident, status of resources and members and the IAP.

215.3 Incident Commander Function

- A. Transfers of Command** - Assumption or transfer of command will be documented by directing the Communication Center to note the time in CAD or the time noted in the Command Post Log as appropriate.
- B. Command Post** - Establish Incident Command Post when necessary.
- C. Scope of Incident** - Determine the scope of the incident.
- D. Appropriate Response** - Provide for appropriate response necessary to protect life or property.
- E. Resources** - Request additional resources as necessary (SWAT, K-9, Investigations, CNT, Arial Support, EMS, URT, CPT).
- F. Control** - Control members and equipment resources.
- G. Notifications** - Ensure timely notification and briefing of appropriate Staff Members to include the Emergency Management Coordinator.
- H. IC Responsibilities** - The IC has the overall responsibility to manage the incident to the best of their abilities. Some responsibilities include, but are not limited to, the following:
 1. Providing sufficient qualified staff and resources.
 2. Delegating authority as needed.
 3. Inspecting and evaluating performance.
 4. Communicating with their own agency on priorities, plans, problems, and progress.
 5. Inform other Commanders of any legal, political, jurisdictional, or safety considerations.
- I. Incident Management**
 1. Expand or contract the ICS as necessary based on life safety, incident stability, or property conservation while maintaining a manageable span of control and appropriate organizational structure.

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2. Maintain accountability for responder and public safety, as well as for task accomplishment.
 3. Establish and maintain an effective liaison with outside agencies and organizations including the EOC if activated.
 4. Determine operational objectives based on incident priorities to include the need for establishing a Unified Command.
 5. Develop, and when appropriate, implement a viable IAP. The IC may delegate the development of the IAP to the Planning Section Commander (PSC) when the Planning Section has been activated.
 6. Coordinate overall emergency activities. The IC may delegate this task to the Operations Section Commander (OSC) when the Operations Section has been activated.
 7. Authorize the release of information to the public. The IC may delegate this task to the Information Officer if activated.
 8. Track the financial costs of the incident. The IC may delegate this task to the Finance/Administration Section Commander (FASC) if activated.
- J. IC / Unified Command Checklist** - The below items are the minimum requirements for all Incident Commanders:
1. Obtain or establish an incident briefing and Incident Briefing Form (**FEMA ICS 201**). If relieving a previous IC, ensure that a meeting was conducted between the out-going and in-coming IC and staff members.
 2. Assess the incident situation. Confirm the dispatch and/or arrival of requested organizational elements.
 3. Determine incident goals and strategic objectives. Hold a briefing and assign work tasks to the general and command staffs.
 4. Establish the immediate priorities.
 5. Establish an Incident Command Post (if not done previously). Consider activating the Command Post Team.
 6. Conduct the initial briefing (when applicable).
 7. Brief the command staff and section chiefs.
 8. Ensure that planning meetings are conducted.

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9. Approve and authorize the implementation of the IAP.
10. Ensure that adequate safety measures are in place.
11. Coordinate staff activity.
12. Coordinate with key people and officials, including the EOC.
13. Approve requests for additional resources and requests for release of resources.
14. Ensure that the Incident Status Summary Form (FEMA ICS 209) is completed and forwarded to any activated dispatch centers.
15. Approve a plan for demobilization.

215.4 Operations Section Commander Function - A member of the general staff who is responsible for the management of all operations directly applicable to the primary mission. The OSC activates and supervises operations, organizational elements, and staging areas in accordance with the IAP. This position reports to the IC.

- A. Activation** - The IC may, at their discretion, based on the scope of the incident activate and staff an Operations Section. Upon activation, the IC will designate an Operations Section Commander (OSC).
- B. Execution of Plan** - It will be the duty of all members assigned to the Operations Section, under direction of the OSC, to carry out the response activities described in the IAP, as well as other duties not specified but deemed necessary by the OSC or designee.

C. OSC Responsibilities

1. Recommend strategies to reach objectives.
2. The OSC reports to the IC and other members of the Command and General Staff informing them of situation, planned tactics and resource status to ensure timely input and support within Operations.
3. Resource ordering within boundaries of fiscal, environmental, and other constraints.
4. Reports unusual events, activities, as well as provide daily updates on the situation (when applicable).

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5. Insist that all known safety procedures be followed in all tactical planning and execution.
6. Maintain effective communication with all cooperating agencies and ensure that their input is solicited, respected, and given due consideration.

D. OSC Checklist - The below items are the minimum requirements for all OSCs:

1. Obtain a briefing from the IC.
2. Develop the operations portion of the IAP.
3. Establish staging areas.
4. Determine the need and request additional resources when necessary.
5. Review the suggested list of resources to be released and initiate recommendations for the release of resources.
6. Assemble and disassemble strike teams assigned to the OSC.
7. Report information about activates, events, and occurrences to the IC.

215.5 Logistics Section Commander (LSC) Function - A member of the general staff and is responsible for providing facilities, services, and materials in support of the incident. The LSC participates in the development of the IAP and activates and supervises the branches and units within the LSC.

A. Activation - The IC may, at their discretion, based on the scope of the incident, activate and staff a Logistics Section. Upon activation, the IC will designate a Logistics Section Commander.

B. Logistics Section Responsibilities

1. The LSC reports to the IC informing them of the situation and resource status within Operations.
2. Manage the ordering process to ensure all incident needs are met.
3. Whenever possible, anticipate and maintain supplies ahead of the need.
4. Coordinate with supporting EOCs (when activated) to ensure effective and cordial relations.

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5. Ensure that the IC has the best facilities, equipment, and resources to manage the incident.
6. Determine the resources and organizational structure within the Logistics Section. They direct and coordinate all logistical operations, ensuring the safety of Logistics Section personnel.

C. LSC Checklist - The below items are the minimum requirements for all LSCs:

1. Obtain a briefing from the IC.
2. Plan the organization of the Logistics Section.
3. Assign work location and preliminary work tasks to section members.
4. Notify the Resources Unit (if activated) of the units which have been activated, including the names and locations of assigned members.
5. Participate in the preparation of the IAP.
6. Identify the service and support requirements for planned and expected operations.
7. Provide input to and review the communications, medical, and traffic plans.
8. Coordinate and process requests for additional resources.
9. Review the IAP and estimate the needs for the next operational period (if needed).
10. Ensure that the incident communications plan is prepared.
11. Prepare the service and support elements of the IAP.
12. Recommend the release of unit resources in conformity with the demobilization plan.
13. Maintain the unit log (ICS Form 214).

215.6 Planning Section Function - The Planning Section Chief (PSC) is a part of the general staff and is responsible for the collection, evaluation, dissemination, and use of information regarding the development of the incident and status of resources. The PSC reports to the IC.

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A. Activation - The IC may at their discretion based on the scope of the incident, activate and staff a Planning Section. Upon activation, the IC will designate a PSC.

B. PSC Responsibilities

1. Determine the resources and organizational structure within the OSC.
2. Provide for the collection, evaluation and dissemination of all information relative to the development of the incident and status of resources.
3. At the direction of the IC, develops the IAPs for the incident.
4. At the direction of the IC, develops and implements the Post IAP.
5. Request or release resources through the Incident Commander

C. The PSC Checklist - The below items are the minimum requirements for all PSCs:

1. Obtain briefing from the IC.
2. Activate Planning Section units.
3. Reassign initial response members to incident positions as needed.
4. Establish information requirements and reporting schedules for all ICS organizational elements for use in preparing the IAP.
5. Notify the Resources Unit of the PSC which have been activated, including the names and locations of assigned members.
6. Establish a weather data collection system when necessary.
7. Supervise the preparation of the IAP.
8. Identify the need for use of specialized resources when applicable.
9. Perform operational planning for the PSC.
10. Provide periodic predictions on the incident potential.

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215.7 Finance/Administration Section Function - The Section Chief is a member of the general staff who is responsible to organize and operate the Finance/Administration Section within the guidelines, policy, and constraints established by the IC and the Agency.

- A.** The IC may at their discretion based on the scope of the incident, activate and staff a Finance/Administration Section (FAS). Upon activation, the IC will designate a Finance/Administration Section Commander (FASC).
- B.** It will be the duty of all members assigned to the Finance/Administration, under direction of the FASC to provide for the proper financial accounting of expenses related to management of the incident and report on losses incurred by the city through damage to equipment, facilities and member injury.

C. FASC Responsibilities:

- 1. The FASC reports to the IC informing him/her of situation and resource status within Operations.
- 2. Determine the resources and organizational structure within the FAS.
- 3. Direct and coordinates all financial and administrative operations, ensuring the safety of FASC members.
- 4. Interacts with appropriate government agencies having financial resources to address incident needs and /or financial reimbursement programs.
- 5. Request or release resources through the IC.

D. FASC Checklist - The below items are the minimum requirements for all FASCs:

- 1. Obtain a briefing from the IC.
- 2. Provide financial and cost analysis information as requested.
- 3. Attend a planning meeting to gather information on overall strategy.
- 4. Identify and order supply and support needs for the FSA.
- 5. Develop an operations plan for the FSA at the incident.
- 6. Determine the need for a commissary operation.

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215.8 Organizational Delineation

- A. Management of Large Incidents** - When the ICS has expanded to manage large-scale incidents additional elements may be established within the sections.
 - 1. When outside agencies or services are called to assist, the IC may establish a “unified command”.
 - 2. Outside assistance will be assigned as needed.
- B. Section Chiefs** - will have the authority to establish and staff additional elements within their sections to address incident needs or resolve span-of-control issues.
- C. FEMA** - The designation of these elements will be consistent with current Federal Emergency Management Act (FEMA) terminology as described in the definitions section, 215.1.

215.9 Resource Management

- A. Communications** - Units called in for a situation will switch to communications system ICS and log in with the Communications section on the PB LOG group. Immediately after logging in, switch to the PB CMND group for assignment by the Command Post.
- B. Post Assignment** - Once assigned to duties or a post, members will not abandon that post or duty unless properly relieved or ordered to do so; however, if the position becomes unsafe to the point that the employee is in imminent danger they may leave but must notify the IC immediately.
- C. Log Off Duty** - When released from duty, each employee will check out with the Command Post, and then log off with the Communications Section.

215.10 Incident Command Log Information

- A.** DR number.
- B.** Date and day.
- C.** Time the Incident Command was established and terminated.
- D.** Incident Commander(s) name(s) and times each commander or supervisor took command.
- E.** List of all members who performed duty within the inner perimeter.

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- F. List of any officials present at the Incident Command Post.
- G. Duty assignments of all employees at the Incident, along with times they were assigned and released.
- H. Weather conditions.
- I. All pertinent information describing the incident.
- J. Times and authorizing authority of any press releases.

215.11 Termination of the Incident Command

- A. Incident Commander Authority** - The IC will terminate the Incident Command when he or she decides it is appropriate to do so.
- B. Notification** - The IC will notify the shift supervisor and the Communications Section when the Command Post is terminated.
- C. Non-Essential Personnel** - When the IC terminates the Incident Command, all non-essential personnel will be released.

215.12 Demobilization

- A. Review** - Upon termination of the Incident Command, the IC will review the log and submit copies of it, the initial case report and After Action Report to the USD Commander and Chief of Police within 7 days. A verbal briefing should occur within 24 hours of the conclusion of the incident. This documentation may include policies or plans pertaining to the mobilization, deployment, or tactical operations involved in responding to emergencies, which are not subject to disclosure under FSS 119.07. Therefore, additional copies may be disseminated to outside agencies or organizations only at the discretion of the Chief of Police or designee.
- B. Debriefing** - The IC and/or Division Commander will hold an incident debriefing with all essential personnel within **seven** days, unless circumstances necessitate an earlier debriefing

215.13 Command Post Team [OMA 511](#)

- A. Notification** - The Command Post Team can be activated by the IC by notification to the Communication Section who in turn will send a Code Red to the Command Post Team (CPT) with the following information.

1. Location of Incident

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2. Nature of Incident

3. Location of Command Post

B. Assignment - The responding Command Post Team members will contact the Command Post Team leader or designee to determine the response need.

215.14 Appendix

A. All Hazards Plan [General Order 218](#) - The Agency will utilize the operational procedures for disasters as outlined in this directive.

B. Appendices will be reviewed and revised as necessary.

215.15 Training

A. Agency Training - Agency personnel who are utilized in the ICS will receive training on this procedure and related plans. Refresher training will be conducted periodically.

B. Operational Exercise - Operational exercise on the ICS system will be conducted periodically.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Written Directive System	Order No: 301	
Rescinds: GO301 Revision 03/19/13	CFA 5th: 3.01	Revised Date: 04/23/15
Reference: General Order Outline & Numbering, Operating Manual Outline & Numbering.		

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301 Policy

It is the policy of the Agency to continually develop and maintain formal written and computerized directives delineating procedures for carrying out agency activities in order to meet statutory requirements, keep members informed, and meet the established goals of the organization. The purpose of this policy is to establish a consistent format for written directives and provide for proper preparation, indexing and distribution.

301.1 Definitions

- A. Accreditation Manager** - The person assigned to the Accreditation Management Unit who is responsible for coordinating the writing, updating, indexing, and revising the written directive systems, excluding the City Personnel Rules and Regulations.
- B. Accreditation Management Unit** - The Accreditation Management Unit is a component in the Agency where written directives are reviewed for

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content, compliance with applicable law, policy and accreditation standards and where distribution of approved written directives is initiated.

- C. Criminal Intelligence Bulletins** - Criminal Intelligence Bulletins are written dissemination of confidential information advising of criminal activity that is restricted to law enforcement use only. Such information is exempt from the Public Records Law.
- D. Directive Memorandum (Memo)** - Directive memoranda are written communication issued by the Chief of Police, a Division Commander, Manager, or Supervisor at any level of the Agency that contains information or instructions pertaining to Agency business.
- E. General Memos and Emails** - General memoranda or emails are informal methods of written communication among members related to Agency business.
- F. General Order (GO)** - GOs are standards of conduct and policy followed by members of the Agency. They also include procedures that are inter-divisional in scope.
- G. Lesson Plans (LP)** - LPs are approved training outlines that address specific topics that may provide information pertaining to Agency policy, general orders, operating procedures, high liability or critical task techniques or procedures, or any topic that the Training Section is directed to provide training for Agency members.
- H. Meeting Minutes** - Meeting minutes are documentation of the topics discussed and decisions reached at a standing committee or standing meeting.
- I. Members** - Members' terminology refers to all Agency employees and volunteers. Directives directed only to one specific group will be articulated in directives such as: sworn personnel, civilians, etc.
- J. Operating Manual (OM)** - OM's are standard operating procedures that are specific to a section, unit, squad or group of members related to a common task. OM may be referred to in the embodiment of a general order. The purpose of the OM is stated first.
- K. Personnel Order (PO)** - A memorandum issued by the Chief of Police indicating a change in the status of members such as reassignment or promotion.

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- L. Policy Statement** - A policy statement is a concise explanation of the purpose for the directive. It may be as short as one sentence or it may be a series of statements. The policy statement is found only in the General Orders. The Chief is the only person permitted to make policy.
 - M. Procedures** - Procedures are the body of a directive. This section primarily contains regulations on how specific or general job functions are accomplished. Rules for conduct and practices by members of the Agency may be specific or general guidelines as deemed necessary by the originating authority. Such procedures can be embodied in a GO or OM.
 - N. Reference Manual (RM)** - RMs are technical or detailed texts approved and recognized by the Agency, explaining the proper operation of equipment, instructions for special events, or other information. RM's may be specified in general orders or operating manuals.
 - O. Responsibility Section** - The responsibility section defines specific authority for various units or personnel to perform certain functions. Responsibilities are delegated so that all necessary functions are performed by a specific unit or member and no two units or members perform the same function. In this way, duplication of effort is eliminated.
 - P. Training Bulletins (TB)** - Informative documentation suggesting methods of handling situations, new techniques, legal updates and other current material. Training Bulletins are advisory in nature and are not directives.
- 301.2 Preparation** - Directives will not conflict with established general orders issued by a higher authority. Directives will have notations directing attention to other related documentation, when applicable. Notations are hyperlinked a related GO, OM, statute, case law, rule, reference manual, etc. Directives are submitted to the Accreditation Management Unit prior to implementation to determine any conflict with other directives, laws, or accreditation standards.
- 301.3 Formatting** - The proper outline format for directives is indicated in attachments GO Outline & Numbering and OM Outline & Numbering [<GO Outline And Numbering>](#) [<OM Outline And Numbering>](#)
- A. Header** - General orders (GO) are given the designator GO followed by the series number and have a blue background header. Operating

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Manuals are given the designator OM followed by the series number and have a green background header. Each header will contain the following information in table format:

1. **Type of Directive** - The first line will state the type of directive, for example, Palm Bay Police Department General Order or Palm Bay Police Department Operating Manual.
2. **Subject** - This is the title of the directive. It is located on the left side of the second line.
3. **Directive Number** - This is the number assigned to the directive. It is located on the right side of the second line.
4. **Rescinds** - This states which former directives are being amended with this revision. This information is located on the left side of the third line.
5. **CFA Standard** - This states which Commission for Florida Law Enforcement Accreditation Standards are addressed in the directive. This information is located on the right side of the third line.
6. **Reference** - This lists the documents used as reference when writing the directive.

B. Table of Contents - Each General Order and Operating Manual will display a Table of Contents directly below the header.

C. Policy/Purpose - General orders begin with a policy statement. Operating Manuals begin with a purpose statement.

D. Definitions - The next section of General Orders and Operating Manuals defines specialized terminology as it relates to the particular directive. If definitions are not necessary, this section is omitted.

E. Procedures - The remaining portion of General Orders and Operating Manuals will contain procedures for members to accomplish their duties as outlined in that particular directive.

301.4 Indexing - Only the Accreditation Management Unit will index directives.

A. The following series numbers are used for indexing Department General Orders and Operating Manuals:

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- | | |
|----------------------------------|------------|
| 1. Organization and Authority | 100 Series |
| 2. Critical Tasks | 200 Series |
| 3. Information and Communication | 300 Series |
| 4. Personnel and Equipment | 400 Series |
| 5. Field Operations | 500 Series |
| 6. Criminal Investigations | 600 Series |
| 7. Support Operations | 700 Series |
| 8. Community Relations | 800 Series |

B. Operating Manuals (OM) are detailed task descriptions and standard operating procedures that are specific to a position, unit or function within the Agency. Because of the specific topic, the OM is numbered the same as the GO. Multiple OM's related to the same GO are listed alphabetically (OM A302, OM B302, etc.)

C. Operating Procedures are embodied within the GO addressing the general responsibilities and procedures of the division, section, unit or squad as operating procedures. For example, the Critical Incidents GO 215 refers to call out criteria for SWAT. The next GO is GO 216 and embodies all aspects of SWAT utilization including command, warrant service, training, and selection process for members, etc. All SWAT operating procedures would be found or referred to GO 216.

D. Reference Manuals (RFs) are identified by the title, date of publication or edition and source (example: Evidence Submission Manual, 1991, FDLE).

E. Memoranda that are directive in content will be dated, designate the member or work group that the correspondence is directed to and contain the author/sender's name. Each division will track and maintain their respective memoranda and emails of directive content for at least two years. Division commanders or managers will forward all directive correspondence to their respective sections, units or squads **AND** to the Accreditation Management Unit for review and possible GO or OM revisions. The Accreditation Management Unit will ensure that Directive Memoranda are made available through the document management system. They will be identified by author, date, and subject matter.

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- F. Department Forms** - All forms created or revised for Agency business will be reviewed and approved by the Accreditation Manager before use. The Accreditation Management Unit will maintain a master electronic database for all approved Agency forms. Forms not entered in the database will not be used.

301.5 Review, Compliance and Authority

- A.** All drafted General Orders, Operating Manuals, or Directive Memoranda that a Division Commander or Section Manager has approved will be forwarded to the Accreditation Management Unit to be reviewed for compliance with applicable law, policy, accreditation standards, and the written directive procedure. Only the Chief of Police is authorized to approve revisions of General Orders, and Operating Manuals. Approval is facilitated through the document management system. The Accreditation Management Unit will maintain the originally approved directive as a master document.
- B.** Personnel orders are approved by the Chief of Police.
- C.** All other correspondence is approved by the originating authority responsible for the subject matter of the correspondence.

301.6 Distribution - Distribution of Agency Directives, Orders and Bulletins will be determined by the applicability of the subject of the directive, order, or bulletin to the various components of the Agency.

- A. Dissemination of Directives** - Directives will be issued to all affected members electronically through a computerized document management system. Complete paper copies of the directives will be maintained at each Division's Resource Center and satellite offices.
- B. Searching** - Searching is accomplished through the document management system by use of keywords, document number, or type of directive. Documents relating to each other are available through hyperlinks to enhance accessibility to the user.
- C. Chief's Directives** - Directive memorandums or emails from the Chief of Police will be sent through the Accreditation Management Unit for distribution and record filing.

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D. Record of Receipt - The Accreditation Management Unit will maintain a record system on all members to authenticate each member has acknowledged receipt of all directives issued to include current revisions.

E. Archival of Agency Directives - A computerized document management system stores all directives disseminated, received, reviewed, and approved in an electronic database which is archived on a server located within the agency. This information is also stored redundantly on a separate city-owned server.

301.7 Canceling, Amending and Reviewing Directives

A. Authority - The authority to cancel or amend directives is restricted to the issuing authority or a commander of higher rank in the same chain of command.

B. Change Notices - will be used to cancel, amend or replace directives and will contain the index number (s) of those directives affected.

C. Self-Canceling - Directives which are self-canceling will have an expiration date indicated

D. Review - General Orders and other directives will be reviewed, updated and/or purged by the Accreditation Management Unit if necessary. The Accreditation Manager may facilitate policy review committees of Agency members if deemed necessary.

1. If a need for revision exists, the authority requesting a change or revision will provide an outline to the AMU detailing the reason for the change and suggested language.
2. The AMU will forward this information and comments, if needed, to the Division Commanders who may be affected by the change, with a request for input.
3. Once all input is gathered the AMU will present the information to the Chief of Police for direction.
4. AMU will modify the directive according to input and direction from the Chief of Police.
5. AMU will forward the revised directive to the Chief of Police for review and approval through the digital management software.

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6. Once the Chief of Police has reviewed and signed the revised directive, AMU will disseminate the directive to the affected membership (scope).
7. Members will check the digital management system on a weekly basis while on duty to read and sign for revised directives and other materials.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Communications Center Operations	Order No: 302	
Rescinds: GO 302 Revised: 02/14/17	CFA 5th: 25.03, 25.06, 25.09	Revised: 02/06/18
Reference: OM 302 A, B,C. Tape Request Form, SEGs, Codes, Signals, & Terminology		

TABLE OF CONTENTS	
Section	Description
302	<u>Policy</u>
302.1	<u>Definitions</u>
302.2	<u>Communications Operation</u>
302.3	<u>Radio Communications</u>
302.4	<u>800 MHz Radio Group Assignments and Usage</u>
302.5	<u>Emergency Signal Assignments</u>
302.6	<u>Emergency Button Activation</u>
302.7	<u>Activation of Emergency Button of On-Duty Officer</u>
302.8	<u>Activation of Emergency Button of Off-Duty Officer</u>
302.9	<u>Phantom Transmissions</u>
302.10	<u>Console or Tower Failure; Back-up Procedures</u>

302 Policy

- A.** The Department will provide toll free access to police services in the City via the 911 emergency telephone system, both hard line and cellular, 24 hours a day, seven days a week thru the Communications Center (OM B302). Calls handled through the Communications Center will be efficiently processed and dispatched via the police radio so a timely response will be provided to emergency and urgent calls, reasonable response to non-urgent calls, and alternative handling of calls not requiring a police presence at the scene.
- B.** While on-duty, first responders and field supervisors are required to monitor the assigned radio group on their portable or mobile radio and to be in constant radio communications with the Communications Center and other on-duty field units, unless directed otherwise by a field supervisor or commander. If for some reason officers or field supervisors must discontinue radio communications, they will first notify the radio operator of their location, an alternative contact capability, and approximate duration. Members are required to communicate via radio when they:

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1. Are called on the radio
 2. Change status or location
 3. Initiate police activity
- C.** All personnel are responsible for maintaining at all times a professional attitude and demeanor when dealing with the community and other Agency members while using the police radio, telephone and Mobile Data Terminal network.
- D.** All employees are responsible for following all rules, regulations, and procedures and will operate the Agency radio system in accordance with Part 90, FCC Rules. The Agency will maintain current written agreement of participation in the FCIC and NCIC Criminal Justice Information Systems. An application process is required by each employee to gain access to the Brevard County CALIBER System and DAVID.
- E.** The purpose of this General Order is to establish procedures for police radio communications. Agency personnel will have an understanding of the radio procedures and utilize appropriate communications methods in order for the radio communications system to operate effectively and efficiently.

302.1 Definitions

- A. CFS:** Call for Service.
- B. 10-codes** - Refers to the status of an officer or call type; established to keep radio traffic to a minimum. They speed up communications by reducing common phrases to a series of numbers. Each code begins with a 10 and a dash, followed by another number.
- C. Signal codes** - Used in police work to convey types of calls for service. Their purpose is to keep radio traffic brief. For example, a "signal 4" often means "automobile crash" and "Signal 13" often means "suspicious person." Police dispatchers use signal codes in conjunction with 10-codes and facilitate concise communications so radio frequencies aren't tied up, thus improving officer safety and reducing bandwidth use.
- D. Plain Talk** - Agency approved language used by all personnel to assure uniformity of transmissions during cross agency, cross jurisdictional and cross discipline mutual aid events.
- E. Phonetic Alphabet** - International alphabetical identifiers/names assigned to each letter of the alphabet are utilized to eliminate confusion when transmitting information.

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F. Identification Numbers (ID) - Number identifiers assigned to sworn officers are used when transmitting over the radio. The officer will use the assigned number when communicating over the radio. Assigned radios automatically transmit a unique logical identification number which is interpreted by the communications center console. This number allows the radio operator to identify the source of the transmission.

G. Unit - On-duty personnel and support personnel who may be outside that station in an Agency vehicle, with a police radio and personnel working off-duty details.

302.2 Communications Operation

A. Restricted Access - Access to the Communications Center is restricted to the following:

1. Members assigned to the Communications Center
2. Supervisory personnel
3. Others specifically authorized by Communications Center supervisory personnel.

B. 911 Phone Service - The Agency will provide a 24-hour, toll free emergency (911) number for all emergency calls for service within our jurisdiction. Procedures for performing telephone, radio and teletype functions are outlined in the Communications Center Procedures Operating Manual. [OMB302](#)

C. Continuous Recordings - The Agency maintains continuous recordings of all incoming and outgoing telephone lines and select radio groups within the Communications Center. The recordings are securely maintained within the Communications Center for **90** days. Agency members who need to review radio transmissions or phone calls related to any call for service or incident handled through the Communication Center, may do so by requesting a recorded copy of the selected radio transmission or phone call. The requesting officer will complete the copy request form and submit it to the on-duty Communications Supervisor who will arrange to have the copy made within 72 hours of the written request. Requests not retrieved within one week of the request will be forwarded to the officer's supervisor.

D. Immediate Access - Communications personnel will have immediate access to the following Agency resources:

1. Supervisor or Commander in charge.

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2. Access to Agency members by radio, telephone, cell phone, or home phone.
 3. Duty Rosters to include on-call schedules.
 4. Telephone numbers of emergency service agencies.
 5. Map of the Agency's jurisdiction.
- E. Types of Calls** - Procedures for obtaining information appropriate for the type of call received are outlined in the Communications Center Tactical Call Guide. Handling and forwarding of misdirected emergency calls are outlined in the Communications Center Procedures Operating Manual OMB302.
- F. Computer Aided Dispatch (CAD)** - Information pertaining to calls received and dispatched is recorded in CAD.
1. CAD assigns a sequential incident number to each call for service. Department Report (DR) numbers are attached to a call for service when requested by a field unit.
 2. Initial status of a unit and any changes in status are documented in CAD.
 3. Officer status checks when attached to a CFS are based on the guidelines as established in CAD.
 4. When field officers are not attached to a CFS, the radio operator will check on the officer hourly and update CAD.
- G. Access to Plans** - Communications Center personnel will have immediate access to tactical dispatching including procedures for directing resources and obtaining information on crimes in progress (bank robbery) and on tactical operations, Critical Incidents [GO 215](#). These plans are outlined in the Communications Tactical Call Guide. Criteria for the assignment of the number of members in response to an incident are included in GO 302.3 G.
- H. External Services** - The Communications Center will maintain telephone numbers and other means of contacting the external service agencies. Communications personnel will make attempts to contact other agencies as requested; however, Agency members will not make unreasonable demands of Communications personnel.
1. A separate telephone index is maintained in the Communications Center. The list of services may include, **but is not limited to, the following:**

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- a. Fire/Rescue/Ambulance services.
 - b. Environmental and Human Services.
 - c. Brevard County Sheriff's Office Helicopter support.
 - d. Wrecker services.
 - e. Taxis.
2. Requests for services from other law enforcement agencies will be referred directly to that agency. Such notifications can be made either by telephone or by using radio communications.
- I. **Security and Back-Up** - Security measures for the protection of Communications Center personnel, facility, and equipment to include backup resources and security for antennas and power sources are outlined in the Communications Center Procedures OMB302.
 - J. **Emergency Generator** - The Agency has an emergency power generator to ensure continued power to the Communications Center in the event of power failure. Documented testing occurs at least monthly or in conformance with manufacturer recommendations.

302.3 Radio Communications

- A. **Terminology** - Agency approved 10-codes and signals will be used for radio communications in daily operations. Plain language will be used for mutual aid events to improve interoperability between agencies and maintain NIMS compliance.
- B. **General Guidelines** - Radio communications will include base units, which are operated by Communications Center members. Mobile radios and portable radios are issued to appropriate members. Transmissions on these radios will be for dispatching and receiving of information from members in the field, car-to-car, or the Communications Center.
 1. Members using the radio will speak clearly and at a rate and volume easily understood. Words or voice inflections, which indicate irritation, disgust or sarcasm, are prohibited.
 2. Radio transmissions will be kept as brief as possible and will be limited to necessary police business. Refer to [OMB 302](#).
 3. Members will remain attentive to radio traffic and will not interfere with another transmission except in an emergency.

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4. Officers will acknowledge radio calls directed to them by giving their identification number and location.
5. Officers will advise the radio operator when they are enroute and arrive at the scene of each call and immediately upon completion of each call.
6. Initial status and any change in status of on-duty officers will be documented by Communications personnel by entering this information into the computer system. Officers will keep the Communications Center informed of any change in the status of a call in order to maintain officer safety. CAD maintains a status log for on-duty units.
7. When clearing from a call, officers will notify the Communications Center of pertinent information concerning no-reports, disposition, and/or re-classification of the call.
8. Officers will not be permitted to check out of service without prior approval of their supervisor. The radio operator will be notified when officers are out of service during their shift.
9. All out of service activity, or special assignments, must be approved by the officer's supervisor and the radio operator will be notified.
10. Except in emergencies, lengthy messages and messages of a confidential nature will always be relayed over the telephone.
11. Officers requesting rescue or fire units will advise the radio operator of the type of emergency and all other pertinent information.
12. Unless in extreme emergency situations, where time is of the essence, Communications personnel will not be required to make routine telephone calls for officers. The officer will make every effort to locate a complainant for additional information.
13. Officers will advise the radio operator prior to stopping a vehicle, giving their location, tag number, registered state, year, make and color of vehicle, and the number of occupants if available.
14. Radios will be used for Department business and such other duties as approved by the Chief of Police. Time checks will only be requested in connection with an incident.
15. Upon receiving vehicle information, vehicle license check and DL checks will be run automatically through the FCIC/NCIC system.

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16. Because calls will often overlap at the end of the shift, all patrol and other units will remain in their assigned zones, in service and available for calls, up to 15 minutes before the end of their shift unless otherwise directed by their supervisor and the radio operator will be notified.

C. Call Classification: The CAD assigns all calls for service a priority ranking of 1 - 4.

1. **Priority 1: Emergency** - A call for service is considered an emergency when there reasonably appears to be a clear and present danger of death or serious bodily harm to a person (i.e. felonies-in-progress, accidents with injuries, in-progress calls with a threat of violence).
2. **Priority 2: Urgent** - The possibility of death or serious bodily harm to a person exists; the suspect of a serious crime is at the scene or believed to be in the vicinity; or evidence of a serious crime may be in danger of being destroyed. Circumstances other than those listed in which the radio operator reasonably believes an immediate response is necessary.
3. **Priority 3: Routine** - A call where an immediate response will **not** detract from the quality of police service. Any delay in dispatching routine calls should be reasonable under the circumstances.
 - a. As soon as is practicable after learning that a delay for response to a call for service will be 30 minutes or longer, the radio operator assigned to dispatch the call will notify the field supervisor and will contact the complainant and ask whether they are willing to wait for the officer or would rather call another time.
 - b. All information pertaining to that particular call will be documented in the CFS.
4. **Priority 4: Alternate Call Handling** - A call where the absence of police at the scene will not detract from the quality of investigation or the service rendered to the citizen.
 - a. A complaint that involves the reporting of an incident where the caller does not request an officer.
 - b. A traffic accident when the complaint is delayed for other than to seek medical treatment for injuries sustained in the accident, or for other compelling reasons, and no criminal charges are to be filed as a result of the accident.
 - c. Non criminal calls requiring only advice, etc.

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- d. Alternate Call Handling can be accomplished by telephone, walk into the lobby or referral to another agency when appropriate.
- e. Alternate Call Handling will be suggested to the caller. If infirmity, disability, lack of transportation, or other circumstances prevent the caller from coming to the police station, an officer will be sent when one becomes available.
- f. Lobby calls should be handled within 30 minutes. If a lobby call is not dispatched within 15 minutes, the radio operator will notify the Patrol Supervisor.

D. Desk Booking Specialists (DBS) are authorized to take complaints of non-criminal matters, or criminal matters where there clearly is no danger to persons or property, or where there clearly is no crime scene to process. The complaints which DBS presently are authorized to take include:

- 1. Hit and run crash of an unattended vehicle with property damage only - no injuries.
- 2. Vehicle accident which qualifies for a "Blue Form" (HSMV Form #90006).
- 3. Stolen or lost vehicle license tag.
- 4. Stolen vehicle.
- 5. General information.
- 6. Criminal mischief, not in progress.
- 7. Theft, not in progress.
- 8. Battery, minor, not in progress where the victim does not wish to file criminal charges (domestic vs. violence initial reports only).
- 9. Runaway juveniles.
- 10. Found property.
- 11. Affidavits of compliance pursuant to 316.6105(3) FSS. (Commonly referred to as "ticket checks.")
- 12. Abandoned vehicles.
- 13. Burglary to a vehicle, not in progress.

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14. Fraud, not in progress.

15. Requests for service involving serious felonies or matters beyond a DBS training will be referred to the appropriate police officer. Examples include, but are not limited to, sexual battery, parental kidnapping, fraud, etc.

16. Desk Booking Specialist II's are assigned additional calls as provided in Desk Booking Specialist Duties [General Order 503](#).

E. Call Dispatching - Emergency and Urgent Calls will be dispatched immediately.

1. When the call is received, the call taker will obtain basic information and route the CFS to the radio operator. The radio operator will initiate emergency traffic (10-33) and dispatch the call by calling the ID number of the primary officer first and then the ID number of the back-up unit.
2. When no units are available, the radio operator will transmit the call to "Palm Bay North or South" units, and assign it to the units which respond. (Example: "Palm Bay to North units, Signal 24 and 0 at Publix). If no units respond, the radio operator will notify the on-duty field supervisor.
3. The radio operator will update responding units as soon as the information is received from the call taker. Emergency traffic can be canceled only by the radio operator, and only upon the direction of the field supervisor or units involved in the incident. Officers will cancel emergency traffic as soon as is practicable so that normal radio traffic can occur.

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EMERGENCY CALLS

DISPATCH: (WARBLE TONE)
 "Palm Bay to all units, 10-33 traffic, Palm Bay to 102 and 37, Signal 24 and 0 at Publix, 4711 Babcock St NE."

Or

"Palm Bay to East Units, 10-33 traffic in reference to Signal 24 and 0 at Publix, 4711 Babcock St NE."

1st OFFICER: "102, Sr-5 and 516"

2nd OFFICER: "37, 507 and 516"

DISPATCH: "Signal 24 and 0 at Publix, 4711 Babcock St NE."
 Provide suspect(s) description and mode and direction of travel

1st OFFICER: "102, 10-18."

2nd OFFICER: "37, 10-18."

F. Back-up Situations - At least two officers will be dispatched for the following situations:

1. All felony in-progress calls.
2. If a suspect is still at or near the scene.
3. Disturbance calls involving drink and disorderly persons, family disputes, neighbor disputes, loud parties, etc.
4. If participants or suspects are possibly armed or dangerous with weapons.
5. All calls involving subjects displaying mental problems, whether reported or not, as violent.
6. Major accidents or disaster scene necessitating crowd control, traffic control or scene security.
7. Traffic stops where it is determined the person has a suspended license or a warrant.
8. Nothing herein is intended to restrict the use of a back up or additional police units at any incident scene. If there is an element of doubt,

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dispatchers should assign additional units. The field supervisor will be notified immediately of any changes or additions.

URGENT PRIMARY AND BACK-UP OFFICER RESPONSE:

DISPATCH: "Palm Bay to 102 and 37 CFS."

OFFICER: "102 SR-5 and 516"

BACK-UP: "37, 507 and 516"

DISPATCH: "Signal 22 Domestic In Progress, 1537 Anglers Dr NE.

OFFICER: "102 10-51"

BACK-UP: "37 10-51"

G. Call Dispatching: Routine Calls - Routine calls for service will be dispatched as soon as is practicable, but may be held by the radio operator for up to 60 minutes.

1. When a routine call must be held longer than 60 minutes, the radio operator will notify the on-duty field supervisor and document the information in the CFS. When a complainant is dissatisfied with the officers' response time to a call for service, the radio operator will notify the field supervisor who will contact the complainant and explain the situation.
2. The radio operator will give out a call by calling the ID number of the primary officer first, followed by the ID number of the back-up officer, if one is required.
3. Officers will answer with their ID number and location when called by the dispatcher or their supervisors.

SINGLE OFFICER:

DISPATCH: "Palm Bay to 102 CFS."

OFFICER: "102 SR-5 & 516"

DISPATCH: "Signal 21 Vehicle, 1521 Anglers Dr NE"

OFFICER: "102 10-51 or 10-52 of 10."

4. Routine calls will be dispatched to specific officers. The radio operator will not dispatch such calls "blindly."
5. Officers will not reassign themselves to calls. Only the radio operator or the officer's supervisor may reassign officers.
6. Officers will respond to calls for service which they are assigned, unless an alternate method of call handling (phone contact, no action taken, etc.) is approved by the Sergeant.

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7. Officers will use their maps and will not ask for directions on routine calls.
8. Officers will write down the address and pertinent information regarding calls for service or refer to their MDT to minimize requests for the radio operator to repeat such information. Unless absolutely necessary for safety, protection of a crime scene, or confirmation on location or contact person, officers will not ask questions about not-in-progress calls, or have the radio operator ask the complainant to step outside.
9. When officers make a traffic stop or call in information requiring the radio operator to record the information (computer work, phone numbers, etc.), they will pause so that the radio operator can prepare to copy the information. The radio operator will give the officer making the traffic stop the tag information back they call in every traffic stop.

TRAFFIC STOP:

OFFICER: "129 10-50"

DISPATCH: "129"

OFFICER: "SR-5 & 516 N. Bound, Florida Tag ABC123, Silver Lexus."

DISPATCH: "10-4 129, comes back to a 2016 Silver Lexus to a female out of Palm Bay, 10-54, 10-29."

Requesting Persons, Vehicles or Items check through FCIC/NCIC or Bullet after clearing to Teletype.

OFFICER: "55 to Teletype 10-29P (**Computer Check** Person Check)"
or

"10-28 (Registration Check)" or

"10-27 (Driver License Check)" or

"10-29 (Article/Gun/Security Check)"

TELETYPE: "55"

OFFICER: "10-29P" (Officer gives information).

TELETYPE: "10-4"

H. Dispatching to MDT - The radio operator may electronically send a call for service through the CAD system to the attached field unit's MDT. The radio operator will notify the field unit of a call for service on their MDT. Anytime a radio operator or call taker adds information to a call for service, it requires the information to be electronically sent to the attached field unit's MDT in order for the field unit to see the added information.

1. The field unit has the ability through MDT of creating, updating and completing calls for service. It is the field unit's responsibility to inform the radio operator of any change in their status.

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2. The field unit has the ability through MDT to query vehicle registrations, persons and driver's license.
3. The field unit will use their MDT at all times for FCIC/NCIC, creating and completing CFS's (for not in progress calls only), and adding comments, unless the use would present an officer safety or driving hazard.

302.4 800 MHz Radio Group Assignments and Usage

A. General Guidelines - All members are cautioned that the 800 MHz radio system is NOT a secure system, regardless of which group is selected, unless a radio which utilizes encryption is being used. Any person with a scanner which covers the 800 MHz frequency band can listen to Agency transmissions.

1. PB-LOG (Palm Bay Log) is designated for officers to log on or off duty with their ID number. Included are officers on assigned Agency duty and those working off-duty details. If an officer is not immediately acknowledged on PB-LOG, he should monitor other groups for Emergency traffic. Volunteers are dispatched calls for service on PB-LOG.
2. PB-TELE (Palm Bay Teletype) is designated for exchange of computer information between officers and the teletype operator, to include requests for a wrecker. Officers must clear through their respective dispatcher before switching to PB-TELE. When an officer calls in a computer check, he will remain on PB-TELE until his requested information is received.
3. PB-PAT-1/PB-PAT-2 (Palm Bay Patrol 1 & 2) are restricted to dispatching of calls, officer to Communications Center, and officers requesting another officer switch to another channel for car-to-car communications. EXCEPTION: Emergency traffic for those units handling the emergency, in-progress call.
 - a. PB- PAT 3 (Palm Bay Patrol 3) is for car-to-car traffic for officers involved in current police call for service. RADIO TRAFFIC NOT RELATED TO POLICE CALLS FOR SERVICE WILL NOT BE HELD ON PB-PAT 3. This channel is not monitored by the Communications Center.
1. PB-TRN-2 (Palm Bay Training 2) is used for on-duty Department training. Use of this group requires coordination with the Training Section. **Additionally, PB-TRN-2 is the Emergency button activation contact group and is used for stealth approach for 10-24 response. PB-TRN-2 will be permanently deleted from all scan lists. This channel is not monitored by the Communications Center. PB-TRN-2 is now located on the PB-ALT system on the radio.**

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2. PB-INV (Palm Bay Investigations) is used for joint communications among the Special Investigations Unit, the Criminal Investigations Unit and the patrol squads. The Communications Center does not monitor this channel.
6. SIU (Palm Bay Special Investigations Unit) is designated for use by the Special Investigations Unit. This group is encrypted and only available to assigned officers. The Communications Center does not monitor this channel.
7. PB-SWAT is designated for use by the SWAT for operational assignments and training. This group is encrypted and only available to assigned officer. The Communications Center does not monitor this channel.
8. PB-POLFR (Palm Bay Police and Fire) is a common police and fire group intended for joint efforts and communications between the Police Department and the Fire Department. This channel is only monitored upon request.
9. TAC-W, TAC-X, TAC-Y and TAC-Z are group generally used for training and major incidents, such as an extended period of emergency traffic, hostage situations, and similar incidents.
 - a. TAC-X is a digital group available on all radios.
 - b. TAC-Z is an encrypted group available on all radios.
10. CNTYWD (Countywide) is used for interagency communications, car-to-car, car-to-station, or station-to-station. This group also may be used for initial emergency traffic for interagency operations. For example, officers engaged in multi-jurisdictional pursuits may use this group. This channel is monitored by the Communications Center.
11. EOC (Emergency Operations Center) is used for emergency broadcasts, such as weather alerts and roll call during launches and other pertinent information on a county level. This group is not continuously monitored by Brevard County EOC. This channel is monitored by the Communications Center.
12. ALERT-1, ALERT-2, ALERT-3, ALERT-4 are for multi-jurisdictional emergency traffic. These groups must be cleared with the Brevard County Sheriff's Department prior to use. The Communications Center does not monitor these channels.
13. BCSO-S is a "monitory only" group and is not monitored by the Communications Center.

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14. MPD (Melbourne Police Department) group - Palm Bay Police Department has entered into an agreement for transmit and receive capabilities with Melbourne Police Department on their primary channel. Communications is only permitted after permission is requested and granted from the primary agency. No unit should be utilizing this channel for any other purpose than mutual aid request that has not been originated and approved.

B. Primary Groups - The following groups are considered primary and are to be monitored by dispatch at all times: PB-PAT-1, PB-PAT-2, PB-LOG, PB-TELE, EOC, and CNTYWD.

1. PB-PAT1 and PB-PAT-2 will be considered a primary group and will be monitored.
2. PB-PAT-3 will be considered a primary group and monitored when PB-PAT-1 or PB-PAT-2 has emergency traffic and only when an additional radio operator is available to monitor that group as advised by the Communications Center Supervisor.
3. PB-TELE will be considered a primary group and will be monitored when qualified personnel are available.

C. Monitoring Groups

1. PB-PAT-1 and PB-PAT-2 are the primary patrol groups. When the radio operator clears an officer to go to a secondary group, the radio operator will advise, "Clear unmonitored." The requesting officer and his supervisor are responsible for the group and will maintain contact with the radio operator on the primary group.
2. When a command post is established, the command post personnel will monitor that group and record all pertinent information thereon, unless other arrangements are made through Communications Center Supervisory personnel.
3. Communications Center personnel will not monitor PB-SWAT unless the on-scene SWAT supervisor requests it and then, only when sufficient personnel are on duty within the Communications Center.
4. Communications Center personnel will not monitor PB-TRN-2 without prior arrangements, except during stealth approach for a 10-24 (Trouble Send Help) situation.

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5. Communications Center personnel will not monitor the, PB-INV, and PB-SIU groups unless specifically requested, and then, only when sufficient personnel are on duty within the Communications Center.

D. Group Reassignment

1. Before an officer changes to any other group, other than to PB-PAT-3, he will coordinate such change through the Communications Center.

EXAMPLE: Officer ID 90 requests to switch to Teletype
OFFICER: "Ninety, Clear to Teletype"
DISPATCH: "Clear or 10-4, Ninety," or "10-54, Ninety."

2. When officers return to PB-PAT-1 from a previously cleared group, each officer will notify the radio operator of his return to PB-PAT-1 as follows:

EXAMPLE: Officer ID 90 returning to Patrol 1:
OFFICER: "Ninety Patrol 1."
DISPATCH: "10-4, Ninety."

3. No approval is needed for officers to utilize PB-PAT-3. The radio operator does not monitor PB-PAT-3 unless it is being used as a primary group.

EXAMPLE: When utilizing PB-PAT 3 when it is not a primary group:

OFFICER: "Ninety to Thirty-seven. Patrol 3," if calling on PB-PAT-1, or "Ninety to Thirty-seven on "Patrol 3 (or 3)," if calling on PB-PAT-3.
DISPATCH: (No response.)
OFFICER: "Thirty-seven on Patrol 3 (or 3)."

4. Officers do not notify the radio operator of their return to PB-PAT-1.
5. When an officer intends to communicate with the radio operator on another group, he will request the group change in the following manner:

EXAMPLE: Officer ID 90 is on PB-PAT-1 and intends to request information on the Teletype group:
OFFICER: "Ninety, Palm Bay. Clear to Teletype."
DISPATCH: "Clear or 10-4, Ninety," or "10-54, Ninety."

6. Officers will notify the radio operator of their return to PB-PAT-1.
7. Officers assigned to the Investigations Division and the Special Investigations Units do not need approval to use their car-to-car groups.

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8. The use of PB-SWAT by SWAT members for call outs or training functions does not require prior approval.
9. Officers using other groups are responsible for answering calls on their primary group.

302.5 Emergency Signal Assignments

- A. Alert** - The alert tone will be used if a BOLO concerning an armed and dangerous incident in the immediate area is received or issued by this Agency and transmitted over the radio.
- B. Pulse** - The pulse tone will be used in the following situations:
 1. If an officer fails to answer his radio on three consecutive calls, the radio operator will signal the officer with the pulse tone.
 2. If an officer does not respond to the pulse tone, the radio operator will initiate emergency traffic using the warble tone.
- C. Warble** - The warble tone is used to signal initiation of emergency traffic. Examples include, but are not limited to the following instances.
 1. It is reasonably believed that the danger of loss of life or serious bodily injury to a person exists.
 2. A forcible felony is in progress or has just occurred, whether or not the suspect is in the area of the crime scene.
 3. Vehicle or foot pursuits.
 4. Officer is in need of help (10-24).
 5. Hostage situations.
 6. Burglaries in progress.
 7. Building searches.
 8. Whenever emergency traffic is requested by an officer.
- D.** The radio operator will implement 10-33 (Emergency traffic) on PB-PAT-1, PB-PAT-2, PB-TELE, and PB-LOG, and will announce which group has 10-33, activated.

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- E. Whenever 10-33 is implemented, those units, which are not involved in the emergency situation, will use the opposite primary radio channel (PB-PAT-1 or PB-PAT-2) if there is not 10-33 on it. If there is 10-33 on both channels, the member should use PB-PAT-3 for **urgent** and **emergency traffic** only since this channel is not scanned. Routine traffic should be held until emergency traffic is discontinued or until an additional radio operator takes over PB-PAT-3 for routine or normal traffic. PB-PAT-3 is not accessible on the dispatch console, requiring the use of a back-up radio located at the radio positions.

- F. Other incidents, which would warrant emergency traffic, such as SWAT, SIU, and INV operations, may be handled on PB-SWAT, PB-SIU, TAC-X or TAC-Z. Some SWAT operations or emergencies require that an additional radio operator monitor the operation and coordinate communications. For preplanned operations the SWAT, SIU or INV sergeant or appropriate supervisor will notify the on-duty Communications supervisor as far as is practicable in advance of the incident, so that additional help may be scheduled. For spontaneous operations or emergencies, the on-duty Communications supervisor call in whatever additional radio operators are necessary to handle the situation with the approval of the Communications Division Manager.

302.6 Emergency Button Activation

- A. **Emergency traffic** - Activation of a field unit's emergency button will constitute an emergency incident. If the officer fails to clear the activation correctly the radio operator will activate the **warble** tone, and emergency traffic rules will apply.

- B. **Radio Check** - The radio operator will check on the officer whose **emergency** button was activated, by announcing, "(ID number), 10-13 Signal 100."

- C. **Officer Response** - If the officer is all right, he will respond, "(ID number), 10-4. ID Number (City ID number).

- D. **No Response** - If the officer gives no response, or gives **any response other than that specified in C**, above, it is assumed that the officer has intentionally activated his emergency button and needs immediate assistance, from other officers. The radio operator will initiate either the non-stealth response or the stealth response, as described below.

302.7 Activation of Emergency Button of On-Duty Officer

- A. **Non-Stealth Response to Officer Needs Help Situation**

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1. This response may be used when the emergency button is intentionally activated, the officer states the type of assistance, and it is not an officer hostage situation. The following procedure will be utilized.
2. Activation of a field unit's emergency button will constitute an emergency incident, and emergency traffic rules will be instituted immediately, using the Warble tone on PB-PAT-1, PB-PAT-2, PB-TELE, and PB-LOG. While all those channels are simulselected, the radio operator will dispatch the supervisor and backup officers, as though it were an "officer needs assistance" situation.
3. Whenever practicable, field units will request help using voice communications.

B. Stealth Response to Officer Needs Help Situation

1. **All Agency personnel will permanently remove PB-TRN-2 from their scan lists on all portable and mobile radios.**
2. The radio operator will notify the on-duty Patrol Supervisor to "go to alternate channel." All officers will immediately, and without further transmission on any other channel, go to PB-TRN-2 on the PB-ALT system and log onto that group with the police radio operator, leaving the primary group clear for the officer whose emergency button was activated. If any on-duty officer fails to log onto PB-TRN-2, the radio operator will attempt contact through MDB or cellular phone to ensure that he is aware of the situation and the proper response.

302.8 Activation of Emergency Button of Off-duty Officer - When the emergency button is activated by an officer who is not shown to be on duty, including investigative and administrative officers, or the subject officer's last location is unknown, the radio operator will call the officer on the radio twice, attempt to call the officer's home, and cellular telephone, if applicable. If there is no answer, or if an "All Clear" status cannot be confirmed, the radio operator will notify the field supervisor. The field supervisor will decide what action to take, on a case-by-case basis.

302.9 Phantom Transmissions

A. On-Duty Personnel

1. The radio operator will call the officer on PB-PAT-1, PB-PAT2, PB-TELE, and PB-LOG three times, using simul-select. The radio operator will call the officer on PB-PAT-3 using the back-up radio since PB-PAT-3 is not active on the console.

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2. If the officer fails to answer, the radio operator will notify the on duty supervisor and will send officers to check the last known location of the officer and adjacent areas.
3. The radio operator will initiate 10-33, using the PULSE tone.

B. Off Duty Personnel

1. The radio operator will call the officer on PB-PAT-1, PB-PAT-2, PB-TELE, and PB-LOG three times, using simul-select. The radio operator will call the officer on PB-PAT-3 using the back-up radio since PB-PAT-3 is not active on the console.
2. If the officer fails to answer, the radio operator will page the officer and call his home and cellular phone, if he has one.
3. If the radio operator cannot contact the officer, he will notify the on-duty supervisor. The supervisor may send an officer to check the officer's residence or take whatever actions he deems necessary on a case-by-case basis.

302.10 Console or Tower Failure; Back-up Procedures

- A. Alternative Group** - The radio operators have someone, usually a supervisor or an officer in the station, select an alternate group on his radio, and try to make contact on that group.
- B. Different Console** - If the alternate group does not work; the radio operator will use a different console. If communications are re-established, the radio operator will continue to use the alternate console and will immediately check all active field units. Communications Center personnel will notify the communications maintenance facility.
- C. Back-up Mobile** - If the radio operator cannot make contact with either, the radio operator will turn on the control station (the back-up mobile radio) installed in the primary console and attempt to re-establish communications. If communications are restored, the radio operator will immediately check all active field units. Communications Center personnel will immediately notify the communications maintenance facility.
- D.** In the event we lose communication with the Palm Bay Tower the Communications Center will implement one of the following two contingency plans.
 1. Switch to the CONV MA System and establish communications on the County Disaster groups for South County, DSTR1S for PB-PAT-1 and

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DSTR2S for PB-PAT-2. The County Disaster groups use repeaters from alternate locations. The Communications Center will immediately begin a roll call for all active field units and send an MDB message. The Communications Center will notify the radio vendor.

2. If necessary, for long term situations, the Communications Center may contact the County and request the Brevard County Trailer be deployed, equipped with seven channels, one 800 MHz conventional repeater and one UHF repeater. Agencies are able to continue operation in a trunked mode using our regular groups.
 3. Switch to the CONV MA System and establish communications on direct, line of sight communications channels that do not require a repeater. This is a simplex system that could be used for small incidents or within a small building/area. These channels include 8TAC92D, 8TAC93D, and 8TAC94D.
- E. Telephone** - If previous attempts have failed, South units are to report to the South District and North units report to the North District office then contact the Communications Center by telephone.

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PALM BAY POLICE DEPARTMENT TEN-CODES

10-1	Weak Radio Signal	10-62	No Report
10-2	Strong Radio Signal	10-65	Can You Copy?
10-3	Stop Transmitting	10-66	Cancel
10-4	Affirmative	10-67	FCIC/NCIC Hit
10-5	Relay To	10-76	Gas Pumps
10-6	Busy	10-77	Out For Meals
10-7	Out Of Service	10-86	Start Tour Of Duty
10-8	In Service	10-87	End Tour Of Duty
10-9	Repeat	10-88	Owner Or Agent
10-10	Out Of Service, Subject To Call	10-94	Request Back-Up
10-12	Visitor Present	10-97	Arrived At Scene
10-13	Officer Check	10-98	Completed Assignment
10-14	Escort		
10-15	Prisoner		
10-17	Investigation		
10-18	Emergency Response		
10-19	At The Station		
10-20	Location		
10-21	Call the Station		
10-22	Disregard		
10-23	Stand By		
10-24	Trouble Send Help		
10-25	Make/In Contact With		
10-26	Message Received		
10-27	Driver License Check		
10-28	Vehicle Registration		
10-29	Stolen/Wanted Check		
10-30	Against Rules		
10-32	Intoxilizer Operator		
10-33	Emergency Traffic		
10-37	Operator On Duty		
10-39	Message Delivered		
10-42	Home		
10-43	Information		
10-45	Call _____ At _____		
10-46	Urgent		
10-47	Use Caution		
10-48	End Of Message, Did You Receive		
10-50	Vehicle Stop		
10-51	Enroute		
10-52	E.T.A.		
10-53	Return (Ing) To The Station		
10-54	Negative		
10-56	Meet At _____		
10-61	Report		

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PALM BAY POLICE DEPARTMENT SIGNALS

0-Armed with Weapon	25-Fire
1-Drunk Driving	26-Drowning
2-Drunk Person	27-Prowler
3-Hit & Run Crash	31-Sexual Battery
4-Crash	32-Kidnapping
5-Murder	33-Retail Theft
6-Escaped Prisoner	34-Criminal Mischief
7-Death (DOA)	35-Narcotics/Gambling/Prostitution
8-Missing Person	36-Bomb Threat
9-Lost/Stolen Tag	37-Threat of Mass Violence
10-Stolen Vehicle	S-School
11-Abandoned Vehicle	C-Church
12-Traffic Incidents (Reckless Driving)	O-Other
13-Suspicious	38-Stolen Property
I-Incident	39-Suicide
P-Person	40-Alarm/Business/Residence
V-Vehicle	42-Trespassing
14-Information	43-Alcohol/Tobacco/Violations
15-Special Detail	44-Overdose
16-Road Obstruction	45-Shooting/Firearm
18-Assist Other Agency	48-Animal Complaint
19-Open Door/Window	49-Stalking/Harassment
20-Mentally Ill Person	50-Indecent Exposure
21-Burglary	52-Assault/Battery
22-Disturbance	54-Plane Crash
23-Fraud	55-Citizen Assist
24-Robbery	57-Sexual Offender/Predator

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PHONETIC ALPHABET

A - ALPHA
B - BRAVO
C - CHARLIE
D - DELTA
E - ECHO
F - FOXTROT
G - GOLF
H - HOTEL
I - INDIA
J - JULIET
K - KILO
L - LIMA
M - MIKE
N - NOVEMBER
O - OSCAR
P - PAPA
Q - QUEBEC
R - ROMEO
S - SIERRA
T - TANGO
U - UNIFORM
V - VICTOR
W - WHISKY
X - X-RAY
Y - YANKEE
Z – ZULU

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Emergency Notification and Call Out	Order No: 303	
Rescinds: GO303 Notification of Serious Incidents 7/18/12 Revision	CFA 5th:	Revised Date: 04/09/15
Reference: Emergency Notification Checklist		

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303.1	Procedures

303 Policy

- A.** The Communications Center will notify the appropriate command personnel of serious incidents within the City. Communications personnel will have immediate access to Staff Duty Officer telephone numbers, duty rosters, home telephone numbers of every member, telephone numbers of emergency service agencies, and have a visual depiction of current jurisdictional boundaries.
- B.** It will be the discretion of the on-duty field supervisor, commander or Communications Center supervisor to direct the notification of appropriate commanders in incidents not specifically covered in this regulation.

303.1 Procedures

- A. General** - When notified of a serious incident, it would be the responsibility of the on-duty field supervisor or commander to ensure other command staff members are notified. If the incident relates to the Communications Center operations, it will be the Communications Center supervisor's responsibility. In the absence of an on-duty commander, the on-call Staff Duty Officer will be called. Notification of other personnel/agencies will be at the direction of the on call Staff Duty Officer. The notification system will be activated on the following incidents:
 - 1.** Palm Bay Police officer, Fire Department personnel or a City Of Palm Bay official seriously injured or killed, on or off duty, in or out of the City.

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2. Death of any law enforcement officer killed in the line of duty within Brevard County.
3. Use of deadly force or accidental discharge of firearm by an officer. Notification will be made pursuant to [GO 225](#).
4. Homicide or death where foul play is suspected.
5. Hostage situation.
6. SWAT call out, other than planned warrant execution.
7. Plane or train accident with interruption of City services, utilities, transportation, or when such accident results in numerous injuries. Notification will also be made to the Emergency Management Coordinator and an email sent to cleanwater@pbfl.org.
8. Bomb explosion or threat, regardless if a device is found or known to be present. Notification will also be made to the Emergency Management Coordinator. If a device is located, an email will be sent to cleanwater@pbfl.org.
9. Request for mutual aid from other police agencies for a serious incident of a type described in this Section.
10. Riots or when a riot is expected to develop. Notification will also be made to the Emergency Management Coordinator.
11. City police vehicle involved in an accident with injuries in or outside of the City.
12. Any incident involving major road closure, interruption of City services, public utilities, or transportation for more than two hours.
13. The arrest of a Palm Bay City Government Official, Brevard County Government Official or law enforcement officer.
14. When the City Manager, Assistant City Manager, City Department Head or elected official of the City is encountered by a police officer, while the officer is in the performance of his duties.
 - a. "Encountered" means when any of the persons described above are investigated as suspects in criminal activities, any motor vehicle related matter including vehicle crashes or vehicle stops, or are

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arrested for any reason including the issuance of a criminal traffic citation, a capias request, a custody arrest, or a warrant pick up.

- b. The involved officer will report the encounter to his chain of command immediately.
 - c. The Staff Duty Officer will instruct the Communications Center to notify the Chief of Police and will ensure that such notification has been made.
 - d. When one of the persons listed above is the subject of a confidential investigation, the Staff Duty Officer or commander of the Division conducting the investigation will notify the Chief of Police.
15. Airborne event/notification to NORAD. Notification will also be made to the Emergency Management Coordinator. If it appears the incident threatens any part of the environment, an email will be sent to cleanwater@pbfl.org.
16. Homeland security threat level is raised to red. Notification will also be made to the Emergency Management Coordinator.
17. Activation of the Emergency Notification System (reverse 911) as provided in [GO 302](#).
18. 911 outage, wire line and wireless.
19. Business phone, radio, or CAD outage.
20. Man-made or natural disasters including major structure fires. Notification will also be made to the Emergency Management Coordinator and an email sent to cleanwater@pbfl.org.
21. Any severe weather alert that affects City services, utilities or transportation. Notify the Emergency Management Coordinator as well.
22. Missing persons involving a major search of over two hours duration.
23. Major demonstrations, strikes or disorders. Notification will also be made to the Emergency Management Coordinator.
24. Media contact with an officer relating to an incident in the City.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Domestic Terrorism Threat Levels	Order No: 304	
Rescinds: GO304 Revised: 07/18/12	CFA 5th:	Revised Date: 04/23/15
Reference: Emergency Management Plan GO 218, <IED Standoff Guidelines> <Suspicious Package Handling Guidelines> <Terrorist Surveillance Detection Guidance> <Counter-Terrorism Law Enforcement Officer Roadside/Interdiction>		

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304.1	Responsibilities
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304 Policy

The Agency recognizes the need to implement plans, train emergency personnel, and ensure the security of essential government infrastructure in the event of a local, state or national emergency threat or incident. We also recognize the responsibility to provide security information/support to key pre-determined locations.

304.1 Responsibilities

A. Coordination Commander - Overall responsibility for implementation of this directive rests with the Commander or Lieutenant designated by the Uniform Services Division Commander. The designated Coordination Commander will coordinate efforts with other Agency command staff members, City Department Directors, federal, state and other local law enforcement agencies and other resources in a concerted response to the appropriate threat level.

1. The gathering, assessment and dissemination of intelligence and other related information will be coordinated through the Crime Analyst and JTTF Liaison.

B. Alert Determination - The Secretary of Homeland Security reviews all available information and decides in coordination with other federal entities, if

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an alert should be issued. Alerts are only issued when there is credible information available.

1. Alerts include a clear statement that there is an imminent or elevated threat.
 - a. The alerts provide a concise summary of the potential threat
 - b. Information about actions being taken to ensure public safety
 - c. Recommended steps that individuals, communities, businesses and governments can take to help prevent, mitigate, or respond to the threat
2. Alerts are based on the nature of the threat.
 - a. Alerts may be sent directly to law enforcement or affected areas of the private sector; OR
 - b. Issued broadly to the public through both official and media channels.

304.2 Procedures

A. Threat Level: Elevated - Warns of a credible terrorist threat against the United States.

1. Review current policies, plans and check sheets.
2. Evaluate exercise results and ensure emergency personnel are trained to an acceptable level of expertise.
3. Assess facilities for vulnerabilities and take measures to reduce them.

B. (Non-Specific or Out-of-State Threat)

1. Remind all personnel, including volunteers, to be suspicious and inquisitive about strangers, particularly those carrying suitcases or other containers; alert for unidentified vehicles on or about the vicinity of police facilities; and be alert for abandoned parcels, briefcases, abandoned or unusual activity. Monitor world and local events. Participate in ongoing intelligence monitoring activities and information sharing, passing on credible threat intelligence to key personnel.

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2. Keep available a duty commander or other appointed supervisory personnel who have access to plans for evacuating buildings and areas in use, and for sealing off any areas where criminal activity has occurred. Keep key personnel who may be needed to implement this security plan informed, and if appropriate on call.
 3. Secure buildings, rooms and storage areas not in regular use.
 4. Increase security spot checks of vehicles and personnel entering the facilities or grounds under the jurisdiction of the police department.
 5. Limit access points (for vehicles and personnel) commensurate with a reasonable flow of traffic.
- C.** As a deterrent, apply one of the following measures from Security Threat Level Elevated individually and randomly:
1. Secure and regularly inspect all buildings, rooms and storage areas not in regular use.
 2. At random intervals, inspect the interior and exterior of buildings in regular use for suspicious activity.
 3. Check all deliveries to police facilities.
 4. As far as resources allow, increase surveillance of temporary lodging accommodations, schools, businesses and other soft targets to improve deterrence and defense and to build confidence among employees and citizens.
- D.** Review plans, orders, personnel details, and logistics requirements related to the introduction of higher Security Levels.
- E.** Review and implement, as appropriate, security measures for high-risk personnel as required by operating procedures.
- F.** Check backup and spare equipment.
- G. Threat Level: Imminent - High (Specific and/or In-State Threat)**
1. Continue all lower level Security Threat Level measures. At an early stage, inform members of support teams, support agencies and joint task force teams of action being taken and why. Provide 24-hour On-Call Terrorism Duty Agent to coordinate with Regional Domestic Security Task

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Force to facilitate timely dissemination of information received from appropriate local, county, state, and federal agencies. Coordinate security efforts among associated law enforcement agencies and security entities within the region invoking mutual aid arrangements closely monitor available security and intelligence data from state and local law enforcement agencies.

2. Place and or keep all personnel involved in implementing this Plan on call. Review internal employee notification procedures relative to emergency response. Consider cancellation of leave for members providing specific functions required in response to a specific threat (i.e. key leadership, special response teams, communications personnel, etc.). Authorize all sworn and essential civilian members' full personal vehicle usage so that members are better able to quickly respond with all necessary equipment.
3. Review continuity of operation plans and including strategies for relocation to alternate worksite or with a dispersed. Test communication plans and equipment; ensure appropriate security measures are in place and functioning properly (i.e. inspect lighting, security fencing and locking systems).
4. Keep or place on duty a sufficient number of appropriate personnel who are responsible for security measures to counter the threat. Place emergency response teams on call. Increase law enforcement visibility through additional patrols and posts. Activate a 24/7 operations center if/when justified
5. Limit access points to absolute minimum. All non-department personnel sign in and out of the facility, escort as appropriate.
6. Strictly enforce access control procedures for personnel entering police facilities. Implement shipping and receiving security measures. Conduct 100% verification of deliveries and restrict shipments.
7. Enforce centralized parking of unmarked vehicles away from sensitive buildings. Restrict vehicle parking close to buildings to marked vehicles. Erect outside barricades and/or security checks to deny access to parking areas and building entrance. Remove trash containers, dumpsters and mailboxes located near government buildings and facilities or, where possible, such objects are to be moved at least 100 feet from buildings, particularly those buildings of sensitive or prestigious nature.
8. Issue appropriate equipment and supplies and recheck essential backup equipment.

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9. Introduce increased patrol and well being checks for designated essential personnel.
10. Protect all vulnerable points and give special attention to communications buildings and towers, as well as main and remote police facilities.
11. Based on threat assessment, determine need for Emergency Operations Center and Incident Command System. Activate and implement, as necessary, the E.O.C. and I.C.S.
12. Augment security at all security checkpoints. All personnel sign in and out of facilities. Identify all personnel and vehicles already on the premise within all operational or mission support areas.
13. Check and log all personnel and vehicles entering the police parking areas, operational area or mission support area.
14. Control all access and implement positive identification of all personnel regardless of their status.
15. Search all briefcases, packages, etc., brought into the complex or operational/ mission area by non-department personnel. Search all vehicles that must enter a building-facility.
16. Secure all non-essential facilities and control access as appropriate for the agencies function or assigned responsibility.

304.3 Sunset Provision - All individual threat alerts are issued for a specific time period and then automatically expire. It may be extended if new information becomes available or the threat evolves.

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Subject: Records Operations	Order No: 305	
Rescinds: GO 305 Revised: 07/07/16	CFA 5th: 26.01, 26.02, 26.03, 26.05, 26.08, 26.09	Revised Date: 03/22/19
Reference: OM A305		

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305 Policy

The Department Records Unit is the central depository for police records and is responsible for, but not limited to, report accountability, records maintenance, records retrieval and UCR reporting. Records personnel are committed to providing the highest standard of customer service to the Department as well as the general public.

305.1 Record Facility Security - Access to the Records facility is strictly controlled. Department personnel may enter the facility while the Records Section is open for Department business. Public tours are not allowed.

A. Ingress and Egress - The door accessing the Records facility will remain closed at all times. Non-records personnel may enter for Department

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business only. During non business hours only the rank of Sergeant and/or above has access for Department business only.

- B. Public Window** - The public window in Records is accessible through the lobby and is open between the hours of 8:00 am to 4:00 pm Monday through Friday, with the exception of holidays. During closed hours, the public window will remain closed.
- C. Reports Intake Box** - The secure reports intake box is located next to the ingress/egress door to the records facility. The design of the box allows paperwork approved by supervisors to be deposited into the Records facility. Once entered into Records, all originals will remain in Records for processing, filing, and retention. Any modifications to reports, forms, or content must be made by a supplement report.
- D. Unauthorized Viewing of Records** - Records personnel will be cognizant of visitors and ensure unauthorized visitors **cannot** view reports, computer terminal screens, or other information while they are in the records facility.

305.2 Reports

- A. Reporting Requirements** - Calls for Service requiring reports and the necessary forms are located in Call Handling and Preliminary Investigation Operating Manual along with follow-up investigative responsibility. [OMA 502](#)
 - 1. All reports must be turned in with final Lieutenant approval within 48 hours unless the member's supervisor deems it necessary to have the report turned in prior to the end of shift.
 - 2. All reports must be submitted prior to the end of the last working day. If this is not done, arrangements must have been made with the member's supervisor to ensure that they are submitted within 48 hours of the initial report.
- B. Report Intake & Accountability** - Reports will be approved by the member's Sergeant and Lieutenant to ensure all of the required information is listed and that there are no major typographical errors. If the report needs to be modified, the reviewing supervisor will send it back to the submitting member with an explanation as to what needs to be corrected. If no modification to the report is warranted, the Lieutenant will submit the report to Records. If the Lieutenant is not working, they will ensure that the acting Watch Commander completes this process.

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1. All hardcopy completed paperwork approved by a supervisor will be placed into an envelope, and deposited in the Records Unit's secure report intake box.
2. Weekly Reports not received in Records, but listed as reports in CAD will be compiled into a report and posted on the K drive, under Records Data on a weekly basis.
3. Reports will be checked for necessary information and completeness by the reporting member's Sergeant and Lieutenant. Once the report is received into Records and information is found missing, the report will be kicked back to the officer and sergeant.

C. Record Maintenance - Copies of case reports will be kept numerically by case number in Laserfiche under INCIDENTS and by year. A digital stamp is to be placed on each page indicating that the file contains juvenile and or confidential data. All Juvenile, Child Abuse and Sexual Abuse cases will be stamped in red "CONFIDENTIAL" or "JUVENILE CONFIDENTIAL". All other reports will be scanned into Laserfiche by case number. All paper copies will be shredded on a quarterly basis, with the exception of Validations, where original copies are kept, after scanning into Laserfiche, in green folders and missing persons reports in yellow folders. These folders will be maintained in a separate locked cabinet. All files waiting to be processed will be kept in the locked file cabinets and secured when not in use.

D. Record Retrieval - Record retrieval is accomplished via computer systems (CRIMES/LaserFiche/Clerk of Court). Each use several search methods including the use of the DR number, address of occurrence, and name of the victim or suspect.

E. Electronic Records Accessibility to Members - Records information is accessible to members at all times. Access may be accomplished through CRIMES or Laserfiche system or in-person at the Records facility.

1. All patrol members, Sergeants, and Lieutenants have read only access to the CRIMES and Laserfiche system. Commanders and Investigations members have access to input supplements into CRIMES only through Case Management.
2. If supplemental information is required from a USD member, Sergeant or Lieutenant, it must be completed through in-field reporting.

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3. If access is required between 1630 hrs and 0600 hrs, a **Sergeant or above** may enter the records facility with his electronic access card. Access is only used for Department business (kickback or citations). After hours entry into the Records Units is recorded by a keypad entry system which digitally captures the individual's name, date and time of entry.

305.3 Dissemination of Information

A. Dissemination of Reports Outside the Department - Mailed, faxed, email, or in-person requests for records will be accepted. Records may distribute releasable information through any appropriate means (fax, email, courier, etc). When release is restricted to certain persons, those persons requesting must present valid identification to Records before obtaining the information. Reports will be released using the Public Records Manual Guidelines Information disseminated to outside agencies may also be delivered via facsimile, courier, email, etc.

B. Request for Police Records Check - Records Specialist (RS) must have the customer complete a Background Check Form and ask the customer for identification (if the person is requesting a Juvenile record and is not the Juvenile, he must have a waiver signed by the juvenile for release of information). Once identification is shown, the Records Specialist will then check for arrest and criminal citation information. Findings will be documented on the background form using the stamp provided. Records Specialists will sign and date the stamp.

C. Request for Copy of Incident Reports

1. The Records Specialist will review the request for information. Using the Public Records Guide for Law Enforcement Agencies, the Specialist will determine if the information is releasable.
2. If the report is found to be public information, the Records Specialist will process the request. Exempt information (per guidelines) information will be redacted prior to dissemination. A notation will be made on the request indicating the date and who released the information. The request, listing released information, will be scanned to the case file in LaserFiche and processed with state fee guidelines.

D. Arrests - Clipboards containing releasable information on arrests are posted outside the lobby window of the Records Unit. These reports are available for

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public perusal in accordance with 119.07 FSS - Inspection and Examination of Records. These guidelines will be strictly followed.

E. Domestic Violence Reports - A copy of all domestic violence reports will be sent to the nearest locally certified domestic violence center within 24 hours after receipt in accordance with F.S. 741.29.

305.4 FCIC/NCIC Regulations - Criminal histories are sometimes contained in reports received by Records. Criminal histories will be dealt with according to FCIC/NCIC regulations to include the following:

A. Receipt of Criminal Histories - Any criminal history printouts inadvertently attached to incoming reports are immediately shredded by Records personnel.

B. Dissemination of Criminal Histories - Dissemination of any FCIC / NCIC or DAVID documentation is strictly prohibited.

C. Security of Information - There are two Records Validations Specialists that have access to FCIC/NCIC. The only terminal in the Records Unit is secured through a password process, known only by the Validation Specialists. Observation of the FCIC/NCIC terminal screen is diminished by way of its placement in the office area and all Records personnel are certified FCIC/NCIC operators.

D. Destruction of FCIC/NCIC and/or DAVID Documents - When FCIC/NCIC or DAVID documents are received as recovered/purged; they are shredded by the Validation Specialist on receipt. The entry verification signatures sheet will be maintained for auditing.

E. Procedure for FCIC/NCIC Entry \Records < **Florida Administrative Code 11C-6.007, Record Validation* > The following should be completed by the designated Records Specialist:

1. Phone or email the original complainant via home, work or miscellaneous numbers.
2. If no response, mail a notification card to the original complainant.
3. If unable to make contact, research for new address by any means available, FCIC/NCIC, DAVID, Internet and/or any other sources. If these attempts fail, the reporting member will be notified to contact the victim.

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4. If a new address is found, resend a notification card.
5. If after one week there is still no response and the Specialist is unable to verify information with the original complainant, the record should be removed from FCIC/NCIC by the Department's Validations Administrator and a supplement narrative completed indicating reason for removal. (Guns will be maintained the length of FCIC/NCIC determined date)

**Florida Administrative Code 11C-6.007, Record Validation:*

Each record shall be individually reviewed to ensure that the record is still active. The record being validated shall be linked back to the initial report received by the agency. The agency case file information shall be used to go back to the complainant, victim, prosecutor, court, motor vehicle registry files or other appropriate source or individual to verify the data. In the case of stolen vehicles and property, contact shall be made with the property owner to verify that the property has not been recovered. This contact in the case of vehicles might be with the insurance company who assumes ownership after a specific amount of time. If the validity of entries or continued property loss cannot be substantiated by the rightful owner, or the entering agency is unsuccessful in attempts to contact the victim, complainant, etc., the agency must make a determination based on the best information and knowledge available whether or not to retain the original entry in the file. In the case of wanted or missing persons, if the warrant verification cannot be verified by the clerk of the court or the legal guardian, the entry should be removed from the system.

F. Department Validation Policy

1. **Vehicles, Vehicle Parts, License Plates and Boat File** - The policy requires that vehicles, vehicle parts, license plates, and boats be validated one time in the month following entry. There will be no annual validation of the record.
2. **Gun File** - The policy for a gun record will require that the record be validated two times; the month following record entry and one year after the first validation. No other validation will be required for the life of the record.
3. **Persons File** - The person record will require validation the month after entry and annually thereafter for the life of the record.
4. **Articles** - No validation required.

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5. Below is a chart showing examples:

<u>Example of New Validation Dates</u> Record Type	Date Entered	First Validation Date	Second Validation Date	Third Validation Date
Persons – Wanted, Missing and Status Records	9/95	10/95	10/96	Each October for life of record
Vehicles	9/95	10/95	NONE	NONE
Vehicle Parts	9/95	10/95	NONE	NONE
Boat	9/95	10/95	NONE	NONE
License Plates	9/95	10/95	NONE	NONE
Gun	9/95	10/95	10/96	NONE
Articles	9/95	NONE	NONE	NONE

305.5 Crimes Records Management System - The system is capable of generating statistics and data summaries of Agency activities. The Records Supervisor or the Crime Analyst are able to run these reports.

305.6 Records Retention - The following retention schedule shows the minimum recommended retention periods for various records. In cases, which involve offenses of differing degrees in the same case file, the records will be kept for the longest period.

A. Specific Report Retention - All current year reports will be Laserfiche'd, along with all current Validation files. All hardcopy paperwork or case reports sent to the State Attorney's Office will be scanned/LaserFiche'd before being placed into a designated file. Quarterly, all files will be sent to storage or destruction in accordance with GS1/GS2 guidelines.

1. Uniform Crime Report - All copies of UCR will be maintained in Laserfiche and accessible to all personnel. All hardcopy paperwork received from the State will be maintained in the Records Supervisor's cabinet. Refer to the State General Records Schedule.

2. Sealed and Expunged Records - When the Department receives a court order for a record to be sealed or expunged, the Records Supervisor will send a letter to the State for confirmation and an email to designated department personnel for the information to be confirmed. Once all letters

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have been returned, then the Records Supervisor will complete the process.

a. Sealed Cases - Hard files of the purged records and purging documents will be locked in the Records Section, kept in paper form and indexed alphabetically by the first two letters of last name, along with the first letter of the first name and court case number.

b. Expunged Records - Records will be destroyed according to FDLE set policy maintaining the court order only in a sealed envelope.

B. General Retention Practice - The General Records Schedule for Law Enforcement Agencies GS1 and GS2 will be kept in the Records Unit for review. A copy of the manual will be sent to all Divisions for personnel to review at their request. All reports are retained per [GS1-L](#) and [GS-2](#).

C. Sungard Public Sector/Naviline/HTE/CRIMES Database - Digital data is retained indefinitely unless a Court order for a record to be expunged, purged, or sealed is received. If a court order is received ordering a file to be expunged, purged, or sealed the procedure listed in section 305.6 A2 will be followed. Access to the database is restricted and secured by login names and password protection.

305.7 Juvenile Records - Agency records involving juveniles are collected from the same sources and in the same manner as any other record. Records Specialists processing an incident report or arrest report involving a juvenile victim, suspect, or arrestee will mark each page of the report "JUVENILE". All records pertaining to juveniles and sexual type assaults or child abuse cases will be maintained in Laserfiche and stamped with "CONFIDENTIAL" or "JUVENILE CONFIDENTIAL".

A. Automated Juvenile Records - Access to automated juvenile records is based on need to know and is accomplished via an internal records management software security check based on user name and password.

305.8 Uniform Crime Reporting - Uniform Crime Reporting is the Agency's crime statistics given to FDLE on a Bi-Annually basis, due by January 31st for annual and July 31st for semi-annual. Guidelines are set by FDLE and adhered to strictly by this agency. A manual provided by FDLE is kept by each Records Specialist and the Records Supervisor. [OMA 305](#)

305.9 Citations Accountability - Traffic citation distribution and accountability will be controlled by the Records Unit.

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A. Storage of Citation Books - Traffic citation books are stored in the Records Unit to maintain control and accountability. Citations that are to be issued will be maintained in an electronic safe within the Records Section and only the rank of Sergeant or above will have the combination. All extra boxes of citations will be maintained in a secure cabinet only accessible to Records personnel.

B. Issuance of Citation Books - The Records Unit is responsible for citation book issuance during normal business hours. The process starts with a request for a citation book from an authorized person.

1. The Records Unit will distribute citation booklets to those members authorized to issue the citations during normal business hours.
2. When a request for a citation book is made during normal working hours, a Records specialist will issue a book to the requesting employee.
 - a. Each employee will ensure that all citations are present and sign the accountability receipts at the front of the book. The original receipt will be turned over to the Records specialist and a copy may be maintained by the requesting employee.
 - b. The employee will then indicate the citation series being issued on a citation issue log.
3. Upon completion of these steps, the Records specialist will return all supporting documentation to the cabinet.
4. After hours requests for citation books may be accomplished by contacting the road officer's supervisor. The Sergeant or above will follow the same steps listed above to issue the citations.

C. Electronic Citations - The Records Unit is responsible for the tracking and auditing of all electronic citations.

1. All electronic citations are issued by The Department of Highway Safety and Motor Vehicles (DHSMV) thru the TraCS system.
2. The electronic citations are provided thru the TraCS system and the numbers sent on a spreadsheet provided by DHSMV.
3. The accountability of the electronic citations is monitored by the Records Supervisor or designee thru periodic audits.

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D. DUI Citations Issued - DUI Citation books will be issued from the Records Unit using the same protocols required for traffic citations. DUI Citation books will be issued to all USD Sergeants and Lieutenants. Officers who demonstrate the need for a DUI Citation book may be issued one.

1. Officers may obtain DUI Citations from a supervisor when needed.
2. Each supervisor issued a DUI Citation book will maintain a DUI citation log indicating the date, time, and employee issuing each citation.
3. The DUI citation log will be forwarded to the Records Unit upon being completed. Completion of the log coincides with each DUI citation book.
4. The Records Supervisor will ensure continuity of records for the DUI citations. These records and accounting will be included in the Records Supervisory audit and annual audit.

E. Lost, Stolen or Damaged Citations - Citations that are lost, stolen or damaged require an in-house memorandum explaining the loss or damage of the citations.

1. The memorandum will be forwarded to the employee's supervisor for examination.
2. The memorandum will be forwarded by the employee's supervisor to the Records Unit for inclusion in Citation Records and accountability.

F. Voiding Citations - The procedure for voiding a citation is found in Traffic Enforcement.GO.505.17 B. [GO 505](#) Upon receipt of the memorandum and copy of the voided citation, a copy of all paperwork will be sent to Tallahassee DSHMV and entry made into CRIMES. All paperwork will be scanned into LaserFiche.

G. Citation Auditing Procedures - An audit of citation issuance and accountability will be performed by the Records supervisor on a quarterly basis.

1. **Records Supervisor** - The citation audit will include but not be limited to the following information:
 - a. Date of the audit to include the quarter period being audited.

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- b. The auditors name and function.
 - c. The number of citation books or series issued and to which employees.
 - d. Total number of citations issued and total number of citations processed during the quarter.
 - e. Total number of voided, lost, or stolen citations to include resolutions of each listing.
 - f. Any anomalies that may indicate lost, stolen, or unaccounted citations.
 - g. The audit will include DUI citations.
2. The Records Supervisor audit will be forwarded through the Chain of Command and a copy provided to the Accreditation Management Unit.
 3. **Community Services Manager** - On an annual basis, the Community Services Manager or designee will complete an audit for Citations. The audit will include but not be limited to information articulated in the Records Supervisor audit. Additionally, the Community Services Manager or designee's audit will ensure the veracity of the Records Supervisor audits, note any anomalies associated with accounting or procedures, and make recommendations for changes if needed. The Community Services Manager or designee's audit will be forwarded through the Chain of Command and a copy provided to the Accreditation Management Unit.

305.10 Report Requirements [<Report Requirements>](#)

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Subject: Intelligence and Homeland Security	Order No: 306	
Rescinds: GO 306 Revised: 06/27/16	CFA 5 th : 19.01, 19.02	Revised Date: 02/27/18
Reference: 28 CFR Part 23, 119.07 FSS, 119.011 FSS		

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306 Policy

- A. This policy provides Agency members, and members assigned to the intelligence function in particular, with guidelines and principles for the collection, analysis and distribution of intelligence information.
- B. Information gathering is a fundamental and essential element in the all-encompassing duties of any law enforcement agency. When acquired, information is used to prevent crime, pursue and apprehend offenders, and obtain evidence necessary for conviction. It is the policy of this Agency to gather information directed toward specific individuals or organizations where there is reasonable suspicion that said individuals or organizations may be planning or engaging in criminal activity, to gather it with due respect for the rights of those involved, and to disseminate it only to authorized individuals as defined. While intelligence duties may be assigned to specific personnel within the Agency, all members of this Agency are responsible for reporting information that may help identify criminal conspirators and perpetrators.
- C. The Special Operations Commander will oversee Agency Intelligence Operations and Crime Analysis.

306.1 Definitions

- A. **Criminal Intelligence** is information with respect to an identifiable person or group of persons collected by a criminal justice agency in an effort to anticipate, prevent, or monitor possible criminal activity. [119.011 FSS](#), [943.045 FSS](#)

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B. Reasonable Suspicion - Facts and circumstances that cause an officer to believe, based on his or her particular training, education and experience, that a person appears to be involved in criminal activity. This can be in the form of suspicious behavior observed by or reported to the officer that the suspect matches the description as a reported criminal, or the suspect is in possession of an object or vehicle connected with criminal activity. The courts often call this "well-founded and articulable suspicion," "founded suspicion," and "reasonable suspicion," interchangeably.

1. **Reasonable indication** means that an objective, factual basis for initiating an investigation exists. The standard of reasonable indication is substantially lower than probable cause. In determining if there is reasonable indication of criminal activity, a law enforcement officer may take into account any facts or circumstances that a prudent investigator would consider.
2. The standard, however, requires specific facts or circumstances indicating a past, current, or future violation; a mere hunch is insufficient.

C. Strategic Intelligence - Information concerning existing patterns or emerging trends of criminal activity designed to assist in criminal apprehension and crime control strategies, for both short and long-term investigative goals.

1. The intelligence function provides information to decision makers about the changing nature of threats, the characteristics and methodologies of threats, and emerging threat idiosyncrasies for the purpose of developing response strategies and reallocating resources, as necessary, to accomplish effective prevention.
2. Strategic assessments provide insight into the impact that crime groups and their operations are having, or may have, on the community - directly or indirectly. This form of intelligence product can help assess a particular community's vulnerability to criminal activity and contribute to corruption prevention initiatives.

D. Tactical Intelligence - Information regarding a specific criminal event that can be used immediately by operational units to further a criminal investigation, plan tactical operations and provide for officer safety. Gaining and developing information related to threats of terrorism or crime and using this information to apprehend offenders, harden targets, and use strategies that will eliminate or mitigate the threat.

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E. Threshold for Criminal Intelligence - The threshold for collecting information and producing criminal intelligence will be "reasonable suspicion". Specifically, information collected is limited to criminal conduct and relates to activities that present a threat to our community.

306.2 Crime Analyst's Role and Responsibilities

A. Procedures for ensuring legality and integrity of intelligence - It is the mission of the Crime Analysts to gather information from all sources in a manner consistent with the law and to analyze that information to provide tactical and/or strategic intelligence on the existence, identities, and capabilities of criminal suspects and enterprises generally and, in particular, to further crime prevention and enforcement objectives/priorities identified by this Agency.

1. Information gathering in support of the intelligence function is the responsibility of each member of this Agency although specific assignments may be made as deemed necessary by the Chief of Police.
2. Information that implicates, suggests implication or complicity of any public official in criminal activity or corruption will be immediately reported to the Chief of Police and other agencies as appropriate.
3. All potential criminal intelligence information provided to this Agency will be forwarded through the receiver's supervisor to the Crime Analysts.
 - a. The Special Operations Division Commander, or designee, will assess and evaluate the information received.
 - b. The Commander, or designee, will ensure the information is limited to criminal conduct and relates to activities that present a threat to the community.
 - c. Information that meets these criteria will be disseminated to relevant personnel and/or agencies.

B. Organization - Primary responsibility for the direction of intelligence operations, coordination of personnel, and collection, evaluation, collation, analysis, and dissemination of intelligence information is housed in this Agency's intelligence authority under direction of the Special Operations Division Commander.

1. The Crime Analyst will report directly to the Special Operations Division Lieutenant.

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2. The Crime Analyst will ensure compliance with the policies, procedures, mission, and goals of the Agency.

C. Professional Standards - The intelligence function is often confronted with the need to balance information-gathering requirements for law enforcement with the rights of individuals. To this end, members of this Agency will adhere to the following:

1. Information gathering for intelligence purposes will be premised on circumstances that provide a reasonable suspicion that specific individuals or organizations may be planning or engaging in criminal activity.
2. Investigative techniques and equipment employed by members of the Agency will be lawful and only so intrusive as to gather sufficient information to prevent criminal conduct or the planning of criminal conduct.
 - a. Members will be sensitive to their duties and the importance of meeting privacy, confidentiality, and public disclosure requirements.
 - b. For intelligence gathering and/or monitoring of illegal activities, techniques used to gather information, and equipment used to gather intelligence information will be the responsibility of the particular member's supervisor.
 - c. Surveillance equipment (vehicles, visual monitoring devices, audio monitoring devices and recording devices) used for gathering intelligence information will be used in accordance with existing State and Federal laws which govern such methods.
3. The intelligence function will make every effort to ensure that information added to the criminal intelligence base is relevant to a current or ongoing investigation and the product of dependable and trustworthy sources of information. A record will be kept of the source of all information received and maintained by the intelligence function.
4. Information gathered and maintained by this Agency for intelligence purposes may be disseminated only to appropriate persons for legitimate law enforcement purposes in accordance with law and procedures established by the Agency. A record will be kept regarding the dissemination of all such information to persons within this or another law enforcement agency. Intelligence will not be disseminated formally or informally to any non-law enforcement agency or individual. Dissemination will be governed by the following:

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- a. The recipients have a “need to know” the information disseminated.
- b. Specific requests from other law enforcement agencies.
- c. At the conclusion of an investigation some intelligence information may be available for defense discovery. This will be determined according to applicable public record laws.

D. Compiling Intelligence - Intelligence investigations and/or files may be opened by the Crime Analyst with sufficient information and justification. This includes but is not limited to the following types of information:

1. Subject, victim(s) and complainant as appropriate; summary of suspected criminal activity,
2. Anticipated investigative steps to include proposed use of informants, photographic, or electronic surveillance,
3. Resource requirements, including personnel, equipment, buy/flash monies, travel costs, etc.,
4. Anticipated results,
5. Problems, restraints or conflicts of interest.
6. Officers will not retain official intelligence documentation for personal reference or other purposes but will submit such reports and information directly to the Crime Analysts.
7. Information gathered using confidential informants as well as electronic, photographic, and related surveillance devices will be performed in a legally accepted manner and in accordance with procedures established for their use by this Agency.
8. All information designated for use by the Crime Analysts will be submitted on the Agency report form and reviewed by the officer's immediate supervisor prior to submission. Restricted or confidential information will be submitted under a confidential investigation cover report.
9. Compiled intelligence information will be accomplished in a secure environment, such as the Crime Analyst's Office.

E. Analysis

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1. The intelligence function will establish and maintain a process to ensure that information gathered is subject to review and analysis to derive its meaning and value.
2. Where possible, the above-described process should be accomplished by professional trained Intelligence or Crime Analysts.
3. Intelligence material will be compiled and analyzed before dissemination to authorized recipients as soon as possible where meaningful trends, patterns, methods, characteristics or intentions of criminal enterprises or individuals emerge.
4. Collation and analysis of intelligence information will be conducted in a secure environment.
 - a. This process may be done in private offices or other locations which restrict or prevent public or premature viewing of raw data or material.
 - b. The material will be kept in a locked cabinet within this area.

F. Receipt/Evaluation of Information - Upon receipt of information in any form, the Crime Analyst will ensure that the following steps are taken:

1. Where possible, information will be evaluated with respect to reliability of source and validity of content. While evaluation may not be precise, this assessment must be made to the degree possible in order to guide others in using the information. A record will be kept of the source of all information where known.
2. Intelligence reports, investigative material and information of a confidential nature received by this Agency will remain the property of the originating agency, but may be retained by this Agency. Such reports, investigative material and information will be maintained in confidence, and no access will be given to another agency except with the consent of the originating agency.
3. Information having relevance to active cases or that requires immediate attention will be forwarded to responsible investigative or other personnel as soon as possible.
4. Analytic material will be compiled and provided to authorized personnel as soon as possible where meaningful trends, patterns, methods, characteristics, or intentions of criminal enterprises or figures emerge.

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5. All Intelligence Bulletins to include but not limited to: Criminal Intelligence, Crime Analysis, Wanted Persons, Missing Person, Officer Safety, Sexual Predator, Community Awareness, etc., will come from the respective district Crime Analysts. All requests for bulletins will be directed to the Special Operations Division Commander or designee via e-mail, phone, or in person. All bulletins will be disseminated in the same format as to maintain uniformity, accountability and a high professional standard.

G. File Status - Intelligence file status will be classified as either "open" or "closed," in accordance with the following:

1. Open Intelligence files that are actively being worked will be designated as "Open." In order to remain open, officers working such cases must file intelligence status reports covering case developments at least every 180 days.
2. All intelligence files will be maintained by authorized personnel in the respective district Crime Analyst's Office. This office will remain separate from the Agency's central records function.

H. Classification and Security of Intelligence

1. Intelligence files will be classified in order to protect sources, investigations, and individual's rights to privacy, as well as to provide a structure that will enable this Agency to control access to intelligence. These classifications will be reevaluated whenever new information is added to an existing intelligence file.
2. Restricted intelligence files include those that contain information that could adversely affect an on-going investigation, create safety hazards for officers, informants, or others and/or compromise their identities. Restricted intelligence may only be released by approval of the Special Operations Division Commander or the Chief of Police to authorized law enforcement agencies with a need and a right to know.
3. Confidential intelligence is less sensitive than restricted intelligence. It may be released to Agency personnel when a need and a right to know has been established by the Special Operations Division Commander or designee.
4. Unclassified intelligence contains information from the news media, public records, and other sources of a topical nature. Access is available upon request.

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5. All restricted and confidential files will be secured, and access to all intelligence information will be controlled and recorded by procedures established by the Crime Analysts.
 - a. Files will be stored in the Crime Analyst's office. Access to this office is restricted to the Special Operations Division Commander, Special Operations Division Lieutenant, Crime Analyst, and Logistics Manager. The Analyst's office will remain locked anytime it is not occupied.
 - b. Files will be secured in a locked file cabinet within the Analyst's office. Files that are not in the process of review, collation, analysis, or dissemination will be kept in the secure locked file cabinet.
 - c. These security measures are to protect against unauthorized attempts to access, modify, remove or destroy stored information.
 - d. All electronic files will be maintained on the K: in the designated folder for the Crime Analysts or on their hard drive on their computer. These files are safeguarded by IT that is responsible for access control and monitoring of the files access. These folders are accessible only to the Crime Analysts and Special Operations Division Commander, or designee.
6. Informant files will be maintained separately from intelligence files.
7. Intelligence files will be maintained in accordance with state and federal law.
8. Release of intelligence information in general and electronic surveillance information and photographic intelligence, in particular, to any authorized law enforcement agency will be made only with the express approval of the Special Operations Division Commander, or designee, and with the stipulation that such intelligence not be duplicated or otherwise disseminated without the approval of this Agency's Special Operations Division Commander, or designee.
9. All files released under freedom of information provisions or through disclosure will be carefully reviewed.

I. Purging Files

1. The Crime Analyst is responsible for ensuring that files are maintained in accordance with the goals and objectives of the Agency and include

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information that is both timely and relevant. To that end, all intelligence files will be purged in accordance with the State of Florida, General Records Schedule GS2.

2. When a file has no further information value and/or no longer meets the criteria of any applicable law, it will be destroyed in accordance with the State of Florida, General Records Schedule GS2. The Crime Analysts will maintain a record that these files were purged. Purged file records will report the date received, date purged, and title or subject of the information.

J. Forms - All forms used by the Crime Analysts can be found in DMS. The respective Crime Analyst, Special Operations Division Commander or the Chief of Police must approve any modifications to these forms.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Recording Materials	Order No: 307	
Rescinds: GO 307 Revised: 03/19/06	CFA 5th:	Revised Date: 04/30/15
Reference: 119, 90 FSS, In-Car Video Procedures OM 505		

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307.1	<u>Procedures</u>

307 Policy

It is the policy of the Agency to comply with the Public Records Laws of the State of Florida under Chapter 119 and the schedules in the Florida Administrative Code produced by the Florida Secretary of State. The Agency also adheres to proper procedure under Florida Rules of Criminal Procedures and Florida Rules of Evidence under Chapter 90. The Agency will also have open and accessible information to the public, when not in conflict with an active criminal investigation or confidential procedures that in revealing would jeopardize the safety of officers or the public. The Agency recognizes the application of the Public Records Laws to audio and video recordings and digital media of general police activities and enforcement functions.

307 Procedures

- A. Prohibited Activity** - The Agency prohibits any member from selling, bartering or making profit from any photograph, video, audio or digital (including computerized) recordings or images made in the course of their official duties or while on an on-duty status.
- B. Public Record** - Any and all recordings, regardless of the format, made on or with Agency recording devices or with personal materials while on-duty, or within the scope of the member's duties, will be deemed a public record and subject to the regulations of Florida State Statute 119 and the Florida Secretary of State Public Records Retention Schedule and consistent with current case law.

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- C. Retention** - Where there is no specified retention period, such tapes, recordings, downloads, files, digital images or recordings, photographs will be maintained as required by Agency procedure or by the member for a period of no less than **90** days.
- D. Personally Owned Media** - Should a member have any recording on personally owned media that becomes necessary for criminal or administrative evidence, the Agency will replace or reimburse media at the Chief's discretion.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Crime Analysis	Order No: 308	
Rescinds: GO 308 Revised: 09/06/16	CFA 5th:	Revised: 02/27/18
Reference: 28 CFR Part 23, 119.07, 119.011 FSS		

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308.3	<u>Responsibilities</u>
308.4	<u>Crime Analysis Procedures</u>

308 Policy

- A.** The Agency's primary mission is to prevent and reduce crime in the City of Palm Bay. One of the tools used to assist Agency members in accomplishing this mission is the utilization of the crime analysis process.
- B.** The Palm Bay Police Department's Crime Analysts are constantly enhancing and updating the procedures to provide advanced analytical support by the systematic process of collecting, categorizing, analyzing, and disseminating timely, accurate, and useful information that describes crime patterns, crime trends, and potential suspects.
- C.** Crime analysis should provide currently useful information to aid personnel in meeting crime control and prevention objectives by identifying and analyzing methods of operations of individual criminals, providing crime pattern recognition, and providing analysis of data from field interviews and arrests.

308.1 Definition - Crime Analysis is the systematic process of collecting, categorizing, analyzing, and disseminating timely, accurate, and useful information that describes crime patterns, crime trends, and potential suspects. Data is primarily generated from records and reports within the Agency. Additional data may be obtained from outside sources to include, but not limited to: other law enforcement agencies, local, state, and federal agencies, private organizations, other agencies within the criminal justice system.

308.2 Function - Crime analysis represents a system utilizing regularly collected information on reported crimes and criminals to prevent and suppress crime and to apprehend criminal offenders. Crime analysis is a scientific process, in the

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sense that it involves the collection of valid and reliable data, employs systematic techniques of analysis, and seeks to determine, for predictive purposes, the frequency with which events occur and the extent to which they are associated with other events. Collection and analyzing readily available crime data and making the analyzed information regularly available to officers and investigators can make them more effective.

308.3 Responsibilities

A. Special Operations Division Component - Crime analysis is a component of the Special Operations Division. At present, the Palm Bay Police Department has two Crime Analysts. This is a civilian support position under the direction of the Special Operations Lieutenant.

B. Support Responsibility - The Crime Analysts are responsible to provide statistical and analytical support in three primary areas:

1. Strategic Crime Analysis - Deals with broad-based problems and potential solutions in a quantitative sense:

a. Crime Trend Forecasts - Based on computer analysis of existing and past criminal activity, the Crime Analysts will issue a projection of future crime activity for management decision making.

b. Resource Allocation - Performs manpower deployment studies correlating the data with crime activity to assist in determining optimum use of appropriate personnel.

c. Situational Analysis - Provides demographic data on victims and areas experiencing crime activity for proactive assistance through crime prevention efforts and for enforcement (patrol) planning.

2. Tactical Crime Analysis - Deals with specific crime problems and offenders.

a. Crime Patterns/Series - Identifies statistically unique events that have a recurring pattern. The Crime Analysts will focus on the criminal's "mode of operation" (or M.O.), the crime's day, time, and location patterns and clusters, and past similar crimes to perform predictive analysis for mitigation efforts such as using a "decoy", stakeouts, extra patrol, saturating the area with additional marked units, or crime prevention methods.

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- b. **Crime/Suspect Correlation** - Attempts to identify suspects for specific crimes based on known offender data (criminal histories, past police department contacts, parolees). Field interview contacts made with suspicious persons and intelligence data derived from other agencies/sources.
 - c. **Target/Suspect Profiles** - The Crime Analysts will identify, track, and monitor specific "known offenders" (sex registrants, career criminals, repeat juvenile offenders, parolees, and probationers) as to their crime preference and likely targets. This data could be used proactively to monitor offenders (ensuring they comply with the terms of their parole or probation) and to advise likely targets (through Neighborhood Policing or commercial security surveys) prior to crime activity.
- 3. **Administrative Crime Analysis** - Used in the areas of policy development and resource justification.
 - a. **Reports** - Crime Trends and Pattern Reports, Calls for Service, Vehicle Accident Trend Reports and any other reports deemed necessary will be compiled on a weekly basis and provided for the Chief's Staff Meeting. Cumulative monthly statistical reports will be generated to provide a year-end report. The Support Services Division will distribute the Daily Complaint Log Shift Report and the Monthly Comparative Analysis to all division commanders. The Crime Analysts will distribute the Monthly Auto Theft Analysis, the Monthly Burglary Analysis, and the Monthly Crime Comparison to all division commanders.
 - Daily Complaint Log Shift Report
 - Monthly Comparative Analysis
 - Monthly Auto Theft Analysis
 - Monthly Burglary Analysis
 - Monthly Crime Comparison
 - Any other FDLE/UCR statistical or informational reports relevant to crime analysis in Palm Bay.
 - b. **Statistical Studies** - Such as number of officers per 1,000, population correlated against population trends/crime statistics, activity levels of staff due to variations in calls for service, etc.

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- c. **Micrographics** - Production of data for presentation to management and media; specifically, the use of computers and desktop publishing devices to produce presentation quality graphs/charts after an analysis of raw data. Examples are: the Annual Crime Report, Parolee Report, Sex Offender Report, Calls for Service Report, Burglaries/Thefts Report, Vehicle Accident Reports, etc.

308.4 Crime Analysis Procedures - The Special Operations Commander, or designee, is assigned primary responsibility for oversight of crime analysis functions. However, all divisions have specific functions for which they are responsible. The Crime Analysis Program involves a coordinated system that includes the following:

A. Source Documents – Source material will include all automated records of calls for service, daily logs, incident reports, citizen contact cards, field interview reports, and other intelligence/information reports from outside agencies. All relevant crime data will be collected by the Crime Analysts for collation and the preparation of summary reports.

B. Factors – The Crime Analysts will be responsible for preparing and distributing reports which enable operational divisions to conduct analysis based on the following factors:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptions
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

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- C. Requests** – Requests for analysis or products are given to the Crime Analysts or are developed by the Special Operations Commander or other unit leader based on a review of data. These analysis/products may be as simple as: “what type of crimes happened in the South District last week” to as complex as: “a correlation of calls for service adjusted with population growth, racial diversity, number of sworn officers, and reported offenses”.
- D. Analysis and Utilization** – The Division Commanders will be responsible for conducting analysis which involves drawing justifiable conclusions from the information provided by the Support Services Division and Crime Analysts. The analysis will be used as the basis for developing proactive assignments, staffing allocation and scheduling plans, zone assignments, and directed patrol activities. The analysis will be distributed to the effected division or command for appropriate action.
- E. Feedback Analysis and Program Evaluation** – The Special Operations Commander will provide the Uniform Services Division Commander with frequent reports on the effectiveness of the program and the usefulness of the statistical information provided for analysis. Timely reporting of problems and recommendations for improvement will permit timely modifications to the program.
- F. Public Information** – The Uniform Services Division Commander will utilize crime data summaries to develop effective public awareness by one of the Agency’s many community and crime prevention programs as needed.
- G. Policy Development and Resource** – The Crime Analysts will brief the Special Operations Commander, or designee, on a regular and frequent basis on crime patterns and trends. This will permit timely shifts in policy and resource allocation when required.
- H. Police Hazards Identification and Dissemination** - The Special Operations Commander, or designee, is responsible for identifying permanent and temporary police hazards, which are revealed in the crime analysis process. They will ensure that this information is provided to all officers affected and that appropriate tactics and countermeasures are adopted to deal with identified hazards.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Department Computer Operations	Order No: 309	
Rescinds: GO309 Revised: 03/14/17	CFA 5 th : 26.04, 32.01	Revised: 01/16/18
Authorizing signature:		
Reference: City Rule VIII, Section 27		
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309 Policy

The Agency recognizes the importance and usefulness of technology for the advancement of law enforcement purposes. We encourage the authorized use of City computers, City computer network system and the Internet for law enforcement and City/Department-related purposes.

309.1 Procedures

- A. Department Computer Operations** - Computers, software and related operations are governed by City Rule VIII, Section 27. All Department members will adhere to City computer operations procedures ([City Personnel Rules and Regulations, Rule VIII, Section 27](#)) and additional Department procedures as provided in this directive.
- B. Authorization Process** - No software will be installed on a City computer without prior approval and review by the user's supervisor **and** the City IT Department or designee. If approved, installation of the software must be performed by a City IT Department technician.
- C. Use of Email** - The Department and City email system is an authorized method of electronic communication. The email system is used by City and Department management to inform members of a variety of job related information in the form of written directives, orders, instructions, scheduling, work assignments, meetings, subpoenas, task monitoring etc. Members may use the email system to communicate with each other. Members may also

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communicate with persons outside the City email network if the communication is City/Department work related. Members who have assigned email accounts will:

1. Review email each work day.
2. Reply to action/information requests in a timely manner.
3. Will adhere to electronic communication that is directive in content from supervisors or command staff.
4. Members are issued an email account with a limited size. If the limit is reached, the account will close until it is reduced. Therefore, members must monitor email accounts, archiving or deleting messages as appropriate to maintain sufficient space for incoming messages **on each working day**.

D. DMS - Members are issued a DMS account as a means to disseminate all Departmental General Orders, Operating Manuals, Directive Memos, and certain training. All members are required to log into DMS on **each working day** to ensure they are up to date any procedural/law changes and trainings. All new documents and courses will be signed/completed within **30** days of assignment thru DMS (exception: Blue Books, Supervisor's Manual and FDLE mandatory retraining).

E. Prohibited Email, MDB Messaging, and Internet Activities - Members are required to use good judgment and to avoid any communication that is illegal, offensive to others, or harmful to morale. Use of the City Intranet, Internet MDB and email system is for authorized personnel performing the requirements of their jobs. All electronic correspondence is recorded and may be used in any Internal Affairs Investigation. The following activity is prohibited:

1. Initiating or furthering any false or malicious statement, picture, or image tending to expose another to public ridicule, hatred, contempt or to injure another's reputation.
2. Initiating or furthering threats, retaliation or intimidation of any person or entity.
3. Transmitting or downloading language, images, or pictures that are offensive, obscene, or in poor taste, including but not limited to jokes that create an intimidating, hostile or offensive work environment.
4. Transmitting or downloading content which could reasonably be construed as sexual harassment, sexually explicit pictures, images, messages,

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jokes, or cartoons. During an authorized criminal investigation conducted by members of the Investigations Division where such material must be viewed for evidentiary value in a criminal investigation these actions are permitted.

5. Initiating or furthering discriminatory communication toward others based on race, color, national origin, sex, marital status, sexual orientation, age, veteran's status, disabilities and/or religious or political beliefs.
6. Using the intranet, internet, or email systems for personal gain such as outside employment.
7. Commenting on any blog or other electronic opinion website unless specifically required by the member's job. For example, comments made to the news media websites is prohibited unless a job requirement.
8. Viewing or updating social websites such as MySpace, Facebook, etc. unless part of an official investigation or it is a requirement of your job function.
9. Any language that could be discriminatory toward others based on race, color, national origin, sex, marital status, sexual orientation, age, veteran's status, disability, religious or political beliefs, or anything which be considered to some as offensive in nature.

F. Authorized Computer Use - Members adhering to the above restrictions may use Department computers, email, and internet access while off duty or on authorized breaks. Examples of such use are research for bona fide educational purposes, visiting appropriate web sites such as newspaper or weather forecasts, sending or receiving brief messages which are free of prohibited content, or accessing the City Announcements or City Classified folders. Personal use of Department computers which results in a disruption of employee productivity is prohibited.

G. Access Restrictions - Members will not allow other persons to gain access to the City network by sharing their passwords.

H. Care of Correspondence - Diligent care is required when members use public networks. Digital correspondence may result in actual or perceived action or commitments on behalf of the City or Department.

I. Internet Consumption - Users are expected to be sensitive to system resource consumption and employee time devoted to Internet use.

J. Computer Virus Infection Control - The City computer network is equipped with a variety of digital protection systems to safeguard against electronic

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virus infections. All users will be alert to potential outside email or Internet attempts to compromise the system and not open or respond to suspicious email or access suspicious web sites. Any suspicious electronic correspondence should be reported to the Help Desk immediately.

K. Public Records - There is no expectation of personal privacy in the use of the Internet email or City's internal email systems. Florida Public Records Law, (Chapter 119), requires the City to make all public records available for inspection and to provide copies upon request. A public record is any writing (which includes electronic documents) relating to the conduct of the public's business prepared, owned, used, or retained by the City. The Public Records Law includes a number of exceptions from the disclosure requirement. If there is any doubt, the employee should contact his supervisor for advice.

- Prior to a member's departure from the Agency, the employee is encouraged to transfer all open case files pertaining to active investigations to CD's or thumb drives and forward these to the investigator taking over the case. Any other information on the laptop / desktop not subject to the Florida Public Records Law should be removed. Emails, case files and documents pertaining to any investigations should be left intact and not deleted in accordance with the Florida Public Records Law. The City IT Department removes all files from the employee's computer and places the information on CD's until the information exceeds the time allotted in the Florida Public Records Law.

L. Mobile Data Terminals - Users of the Mobile Data Terminal (MDT) system will be trained pursuant to the Criminal Justice Information System, (CJIS), training mandates before use is authorized. Authorized users will follow CJIS rules and regulations regardless of their method of access to the system. All transmissions, including car to car, on the MDB system is recorded and monitored.

1. Members will not remove or add hardware to the MDT without prior approval and review by the user's supervisor **and** the City IT Department or designee. If approved, installation of the hardware must be performed by a City IT Department technician.
2. Members driving will not initiate transmissions while the police vehicle is in motion unless exigent circumstances require such action.
3. Members will use the MDB in accordance with the stipulations set forth in GO 309.1 E.

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M. Training - The member's immediate supervisor is responsible to ensure that the member is properly trained on the use of the City/Department computers and network system.

N. Policy Violations - Violations of this policy may be deemed a serious offense.

O. Computerized Central Records System

1. Computer files maintenance, backup, and retention is accomplished through two procedures. The computer system is automatically and continually backed up and stored on a separate secure system operated by the City of Palm Bay. The backup to the City's computer system is designed to be a mirror of the Police Department's system. Therefore, the information is never destroyed. In addition, a manually generated redundant recorded media backup is made each evening. The recorded media is kept for four days before being overwritten.
2. A security system to safeguard against unauthorized attempts to access, alter, remove, disclose or destroy stored information is in place to protect the Computerized Central Records System.
3. An annual audit to verify all password, access codes, and access violations will be conducted by the system administrator.
4. The City IT Department will remove/disable any unauthorized personnel from the computerized central records system within five days of their last day of employment. Notification of the last day of employment will be made by the City Human Resource Department.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Public Information Program	Order No: 310	
Rescinds: GO 310 Revised: 10/27/15	CFA 5th: 1.06, 1.07	Revised: 06/28/16
Reference: Sexual Offender Tracking Program, GO 803, FSS 365.171, 119.01		
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310 Policy

- A.** There will be a free flow of information to the public unless a statutory exemption applies. For example, if such information is part of an active criminal investigation and release of such information could compromise the case, prejudice the accuser's right to a fair trial, or violates law or Agency policy.
- B.** The same policy will apply generally to the release of both unrecorded and recorded information known to the Agency.

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- C. This policy does not apply to the release of information and records to other law enforcement agencies or in response to judicial order.
- D. This policy applies to all Agency members and the City of Palm Bay Community Information Coordinator who works with the Agency's Public Information Officer.

310.1 Definition

- A. **Public Records** - All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software (information) or other material (regardless of its physical form, characteristics or means of transmission) which are made or received pursuant to law or ordinance or in connection with the transaction of official business of this Agency. The fact that a particular item is designated a "public record" **does not** mean that it is open to public inspection, but rather that it belongs to a public agency. Public records generally are available for inspection by the public at some point in time, but there are limitations as to when that occurs. Members should refer to the Public Records manual and Records Unit [General Order 305](#).
- B. **Criminal Investigation Information** - Information with respect to an identifiable person or group of persons compiled by the Agency or any other criminal justice agency in the course of conducting a criminal investigation of a specific act or omission. The term includes, but is not limited to, information derived from laboratory tests, reports of investigations or information, or from any type of surveillance.
- C. **Active Criminal Investigation Information** - Information is considered active as long as it is related to an ongoing investigation, which is continuing with a reasonable, good faith anticipation of securing an arrest or prosecution in the near future. It remains active throughout criminal prosecution and direct appeals. Said information is not a public record while active, but may be released with permission of the investigator or officer who is assigned to the case.
- D. **Criminal Intelligence Information** - Information collected by the Agency or any other criminal justice agency with respect to an identifiable person or groups of persons in an effort to anticipate, prevent, or monitor possible criminal activity. "Information" includes copies of photos of suspects; Intelligence Bulletins, etc. maintained by individual officers or the Crime Analyst.

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1. Such information is considered active as long as it is related to intelligence gathering that is conducted with a reasonable, good faith belief that it will lead to detection of ongoing or reasonably anticipated criminal activities.
2. Said information is not a public record while active, but may be released with permission from the investigator who is assigned to the case.

310.2 Information that must be released to the Media

A. Criteria - Non-criminal intelligence or non-criminal investigation information must be released pursuant to a public records demand as follows:

1. The date, time, location, and nature of a reported crime.
2. The name, sex, age, and address of a person arrested (except juveniles under certain conditions, see Section 310.10 of this GO).
3. The name, sex, age, and address of a victim of a crime, **EXCEPT** for victims of a sexual offense, child abuse or elderly abuse, stalking, harassment, or domestic violence. Their name, age, sex, and address are not public record, or are they to be identified by any other manner, such as a family member or neighbor.
4. The time, date, and location of the incident (unless the location identifies the above listed victims).
5. The crime charged.
6. Documents given or required to be given to the person arrested, except documents that would disclose criminal intelligence or investigative information or documents that reveal the identity of a victim of a sexual offense or of child abuse. A 923.01 Arrest Report becomes public record once the defendant is incarcerated or ROR'd.
7. Information on prior arrests and/or convictions; however, **no NCIC/FCIC or DAVID record may be released**. This does not apply to any photographs which are obtained from a public records database.
8. Photographs (photo copy image, mug shot, digital images) of the arrestee. If the arrestee is a law enforcement officer, the booking photo is a public record unless an exemption from disclosure form is signed by the officer. Photos maintained by the employing agency should generally not be used.

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9. Photographs of the suspect/accused, if deemed necessary for protection of the public, or to obtain public assistance in the apprehension.

310.3 Procedures

A. Working with the News Media

1. Each member of the Agency will maintain a cooperative and harmonious professional relationship with representatives of the news media.
2. At the scene of any event of public interest, representatives of the news media will be permitted to conduct interviews, take photographs, and otherwise perform their assigned tasks provided such activity is not in violation of the guidelines established in this policy and procedure, and provided it does not interfere with law enforcement operations.
3. The Chief of Police or designee will make news releases concerning incidents involving Agency policy, the official interpretation of Agency policy, or investigations of an internal nature.

B. Public Information Officer (PIO) - The Agency has a Public Information Officer (PIO), who will:

1. Assist news representatives covering routine news and major incident scenes.
2. Be responsible for on-call response to the news media.
3. Prepare and distribute agency media releases, including use of social media.
4. Arrange for, and assist at news conferences.
5. Coordinate and authorize the release of information about victims, witnesses, and suspects.
6. Coordinate and authorize the release of information concerning confidential investigations and operations in accordance with state law.

C. Operating Guidelines for Utilizing the Public Information Officer (PIO)

1. A designated Public Information Officer (PIO) will provide a single authoritative source for media contacts. The PIO will assist the media

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in covering news stories, assist at crime scenes, if needed and will work normal business hours to provide the media ready access.

2. During other than normal office hours, the on-duty commander or Incident Commander, when notified of a newsworthy event, will determine the need for the PIO's response. When response is requested, the Communications Center will notify the PIO and advise him/her to respond either to the scene or to the Palm Bay Police Department building.
3. Media members will sometimes be dispatched to a news scene that normally would not require the PIO's response. If the on-duty commander, Staff Duty Officer or Incident Commander requests the PIO's assistance, the Communications Center will contact the PIO to advise the location to report.
4. When the PIO is out of the county or not available during normal work hours, the on-duty commander or an on-call individual designated by the Chief of Police may release information from the Agency.
5. The on-duty commander or designated on-call commander will handle all media requests between 1800 and 0800 hours and on weekends and legal holidays. News releases will be generated for significant events likely to be of interest to the news media. Such news releases will be generated as quickly as practical. Each release will include the name and telephone number of an Agency member who may be contacted by journalists for follow-up questions. The PIO will be notified either by email or phone contact of any releases made by commanders in case a follow-up by the PIO is necessary or the media needs a contact person for additional information.
6. In the event of extremely newsworthy incidents, the on-duty commander will determine the need for the PIO's response. When a response is requested, the Communications Center will notify the PIO.
7. The PIO will endeavor to obtain news coverage of new programs and other positive aspects of Agency operations.

310.4 Press Conference

- A. **Arrangement for Media Briefings** - Will be announced using news releases transmitted by electronic mail to all interested news organizations in the Agency's area. Agency personnel wishing to organize a press conference will give the PIO at least three hours advance notice to allow for transmission

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time of the news release and travel time for journalists who may wish to attend.

- B. Members in Attendance** - During a media briefing, the Chief, senior staff members, appropriate supervisors, the officer and/or investigator in charge of the case will be present to provide information to be released.
- C. Proper Attire** - Agency representatives should be appropriately attired and respond to inquiries courteously.
- D. PIO Participation** - The PIO should not respond to improper questions or adversarial situations.
- E. Media Packets** - Media representatives will be supplied with appropriate media packets. Packets may include, but are not confined to:
 1. When appropriate, a general news release detailing the incident, with correctly spelled names, dates of birth and addresses of suspects.
 2. Applicable statistics.
 3. Photographs of suspects, news clippings and other visual material that meet the special needs of the media.

310.5 News Releases

- A. Preparation** - Public information will be released as promptly as circumstances allow in an impartial, courteous and objective manner. The supervisor or officer in charge will notify the PIO in a timely manner of events or situations likely to be of interest to the news media. Using information provided by this or other knowledgeable Agency members, the PIO will prepare and disseminate a news release. News releases will be generated by the PIO as news events occur during working hours and by the on-duty commander (or designee) as significant events occur outside of normal business hours. The PIO will assist with after-hours news dissemination upon request by the on-duty commander.
- B. PIO Notification** - Supervisors will ensure that information concerning newsworthy events that has been released to the media, during the absence of the PIO, is reported to the PIO as soon as possible. This information may be relayed by telephone or electronic mail.
- C. PIO Involvement** - News releases concerning new policies or programs will be coordinated through the PIO.

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- D. Other Information** - All other information will be released by a ranking officer in charge of the investigation, incident, or the on scene supervisor.
- E. Other Agencies Involved** - In instances where more than one public service agency is involved, the agency having primary jurisdiction will be responsible for releasing or coordinating the release of information. Any public service agency involved will be consulted regarding release of information.

310.6 News Release Guidelines

- A.** The following information will be made available to the news media in criminal matters:
1. The accused/arrested person's name (if an adult, or meets the criteria for a juvenile as provided in Section 10 of this directive), age, residence and charges. Also included will be employment, marital status and any similar background information if known by the investigator. Social Security numbers are **confidential** and will not be released.
 2. The time, date, location and nature of the reported crime. However, the location will not be divulged if it may identify the victim of a sex offense, child abuse, or elderly or disabled abuse (unless the elderly or disabled victim is deceased). Also, the location will not be divulged if it is the home or work address of a victim of aggravated stalking, harassment, aggravated battery, or domestic violence.
 3. The circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons and a description of items seized at the time of arrest. However, the place of arrest will not be divulged regarding victims of certain crimes.
 4. The name of any victim, address, age, and sex subject to all conditions listed hereafter. However, the name and/or address will not be divulged regarding victims of certain crimes. (Refer to 310.2(A))
 5. Regarding sex offenses and abuse of children, the elderly and the disabled, as outlined above, the general location of the incident (e.g., section of the city such as NE, SW, etc.) and a brief synopsis of what occurred.
 6. The identity of the investigating or arresting agency and length of the investigation.

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7. The type of force used against the victim and extent of injuries to either victim or assailant.
8. The arrestee's criminal history from the Agency may be released, if it is not obtained from FCIC/NCIC.
9. The lead investigator of a newsworthy, ongoing investigation or his supervisor, will forward all information to the PIO if release of such will not compromise the investigation or the subsequent prosecution. During normal business hours, the PIO will be responsible for releasing the information to the media. Outside of normal business hours, this responsibility will rest with the on-duty commander (or designee). However, the PIO should be advised of any media contact and the nature of media request as a courtesy in light of probable future media dealings involving the same issue. This can be done via email or phone message if contact is made after normal business hours and does not require PIO's immediate response.
10. The PIO will coordinate the release of requested statistics and information concerning confidential agency investigations and operations when such material becomes public record.

310.7 Release of Inmate Booking Photos

- A. Normal Business Hours** - The PIO will coordinate the release of inmate booking photos during regular business hours. Specified inmate booking photos will be transmitted to news representatives who request them via electronic mail.
- B. Outside of Normal Business Hours** - Inmate booking photos will be made available for pick-up by journalists at the Agency through the Desk Booking Specialist, or media representatives can be referred to the Brevard County Detention Center Booking Facility.

310.8 Release of 911 Recordings

- A. Written Request** - Upon verbal or written request from the news media for a specified 911 tape, the PIO will immediately relay the request to the Communications Center in writing via email. A verbal request is acceptable if the information is time sensitive and the requestor follows the request in writing when time permits.

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- B. Duplication of Recordings** - The Communications Center supervisor will arrange for the duplication of the requested 911 recording according to Florida State Statutes [FSS 365.3171\(15\)](#). Also, ensure that one copy per organization is made to accommodate the organization making the request as well as others that might reasonably be expected to make similar requests.
- C. Notification** - When notified that the 911 tape duplicates are ready, the Communications Center supervisor will notify the PIO who will in turn alert any news representatives who requested the recordings.
- D. Expedite Process** - Recognizing the importance of timeliness in newsgathering, this process will be carried out as expeditiously as possible.

310.9 Information Not to Be Released

- A. Exempt Information** - This section does not apply to the release of information and records to other law enforcement agencies or in response to a judicial order. In accordance with Florida Statute 119.01, the following information is exempt from public disclosure and will not be released.
1. Information that might jeopardize the successful conclusion of an investigation or the subsequent prosecution. Unless approved by the lead agent or supervisor, employees will not release information concerning ongoing investigations for which they do not have ultimate responsibility.
 2. The identity of any suspect prior to arrest or the results of any investigative procedures except to the extent necessary to aid in the investigation, to assist in apprehension of the suspect, or to warn the public of danger.
 3. Any opinion as to the guilt or innocence of the accused, the merits of the case, or the evidence in the case.
 4. Information from FCIC/NCIC or from Baker Act cases. If the suspect is Baker Acted as the result of a criminal act, that information is releasable; however, the contents of the Baker Act report itself are not.
 5. Any information revealing the existence of a confession, admission of guilt, or statements or refusals made by a person arrested until the case is finally determined by adjudication, dismissal, or other final disposition. This is to include any agency member accused of a crime.
 6. The possibility of a plea of guilty to the offense charged or to a lesser offense.

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7. Any information (including the photograph, name, address or other information) that reveals the identity of the victim of any sex offense, child abuses or abuse of the elderly.
8. Information on child abuse or aggravated child abuse and juvenile cases except as provided in Section 310.10 of this GO.
9. The home address, telephone number, photograph, social security number, and place of employment of active or former Palm Bay Police Department personnel, their spouses and children, and the names and locations of schools attended by the children of active or former Palm Bay Police Department personnel (unless consent is given by the member or employee). **However, if a present or former member of this Agency is arrested, only his name and booking photograph (in the absence of a confidentiality request) may be released to the media in that regard.**
10. The identity of persons killed or seriously injured, prior to notification of next of kin.
11. Information on elderly or disabled victims of abuse unless the victim is deceased.
12. "Confidential" information received from another law enforcement agency by the Agency.
13. Information revealing the identity of confidential informants or describing surveillance techniques.
14. **No person's social security number will be released and must be removed from the copy of the charging document, or other reports, prior to release.**
15. The identity, testimony, or credibility of a prospective witness.
16. The prior criminal record, character, or reputation of the accused. DAVID records are exempt (the DL photo from DAVID is a public record as it comes from a public record database).
17. Performance, results, or any tests, or a defendant's refusal or failure to submit to investigative tests.

310.10 Juvenile Offender Information

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- A.** Except in sexual battery and child abuse/neglect cases, the name, age, and address of a juvenile victim of a crime may be released. The identity of juveniles committing traffic infractions may be released. Juveniles who are victims of traffic crashes may also be identified. Information concerning juvenile offender, including arrest reports and photographs, will be released if:
1. The juvenile has been taken into custody for a violation of law, which, if committed by an adult, would be a felony.
 2. The juvenile has been found by a court to have committed at least three or more violations of law, which, if committed by an adult, would be misdemeanors.
 3. The juvenile had been adjudicated by a court of a capital felony, life felony, first-degree felony, or a second-degree felony.
- B.** All records of child traffic violations will be open to inspection and publication in the same manner as adult traffic violations.

310.11 Photographing and Interviewing of the Accused by the News Media

- A. Photos and Interview Prohibited** - Agency members will not deliberately pose any person in custody for news photographers. Members will not permit any person in custody to be interviewed while in custody. Media representatives wishing to interview a person in custody will be referred to the Brevard County Detention Center to arrange to meet with incarcerated persons. Persons arrested and ROR'd are entitled to speak to media representatives as they choose without guidance, encouragement or advise from police department personnel. In limited circumstances, the photograph and identity of a suspect who is accused and is being sought but has not yet been arrested may be released in order to obtain the assistance of the public in locating and apprehending the suspect. This action must be approved by the Chief of Police.
- B. Right to Denial** - Nothing herein will be construed to prohibit the accused and/or his attorney from issuing a denial or guilt.
- C. Candid Photos** - Nothing herein will be construed to prevent the news media from taking whatever candid photograph they are able to take of individuals or events without interfering with the agency.

310.12 Information Relating to Fast-Breaking Events

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- A. Verification** - When inquiries are directed to the Communications Center or any Agency member concerning fast-breaking events, the member will verify the occurrence of the event and provide the location of the event. A media staging location should be established by the commanding officer with an information officer assigned, preferably the PIO.
- B. Officer Cooperation** - The officer in charge of the scene will cooperate fully with all news media representatives within the guidelines set forth by this policy.
- C. Recontact Media** - If the officer in charge is not available to brief news media representatives or is so involved in the incident that it is impractical to brief the news media representatives at that moment, the officer in charge will make suitable arrangements with the news media representatives to contact them as soon as possible.

310.13 Media Access to Police-Controlled Scenes

- A. Media Access** - In the event of a major fire, natural disaster, other catastrophic events or incident, the ranking crime scene officer should try to make an affirmative effort to provide news media representatives timely access to the crime scene. This access is to be considered with sensitivity to both the need to preserve and protect the crime scene and to the public's interest in observing the investigation. The news media representatives will be escorted into specific areas by investigators after receiving approval from an Investigations Division supervisor, whenever possible.
- B. Crime Scene Restriction** - Keeping in mind the purpose of a secure crime scene and considering the tactical situation. News media representatives may be permitted in the area of a crime scene with permission of the ranking officer. They do not have the authority to be within a crime scene or area that has been secured to preserve evidence. At any location where their presence jeopardizes law enforcement operations, or on private property (e.g., apartment, single-family dwelling), they must have the consent of the owner or lessee.

310.14 News Media Credentials

- A. Proper ID** - In order to expedite the identification of bona fide representatives of the news media and to assist members of the news media in the performance of their duties, members of the Agency will render appropriate assistance to persons holding media credentials issued by recognized news organizations. Adequate identification will consist of a media card provided by the journalist's employer and bearing a photograph of the journalist. Those

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whose employer-furnished media cards do not have pictures may also be required to produce a driver's license, or other suitable photo identification.

- B. Report Violations** - Media representatives should perform their assigned tasks and not violate the guidelines established in this General Order. All violations observed should be forwarded to the PIO and the Chief. If the criteria governing conduct has been violated, a written statement will be sent to the individual's employer. The specific violation will be noted, and the individual's press privileges may be revoked.

- C. Media Input** - Members of the news media are encouraged to participate in the present and future development of this General Order by reviewing the policy and attending meetings scheduled by the Chief to review and update the Agency public information policies. It is important to build a good rapport between the news media and the Agency. The Chief will meet with representatives of the news media periodically to address these issues. A copy of this directive may be made available to the media representatives.

- D. Member Cooperation** - Beyond these explicit guidelines, members of this Agency are encouraged to be open, courteous, and cooperative with the news media. Although the Agency has a PIO, the position does not imply that individual members should refer all inquiries to that office.

310.15 Sexual Offender Public Notification

- A. See Sex Offender Tracking** - see [GO 803](#)

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Subject: Computer Security and Utilization		Order No: 311
Rescinds: GO311 Revised: 04/08/15	CFA 5th:	Revised: 04/27/17
Reference: DAVID MOU, FCIC/NCIC Rules and Regulations		
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311 Policy

- A.** This General Order serves to provide guidelines for using the Florida Crime Information Center (FCIC), National Crime Information Center (NCIC), Criminal Justice Network (CJNet), Driver and Vehicle Information Database (DAVID), Electronic License and Vehicle Information Database (ELVIS), Computerized Criminal History (CCH), and Florida's Integrated Criminal History System (FALCON).
- B.** As a law enforcement agency, it is imperative that the Palm Bay Police Department diligently strives to maintain lawful adherence to all state and federal laws. This policy is designed to familiarize all members with the general content of these laws and the procedures necessary to ensure compliance. Information obtained via FCIC/NCIC, CJNet, ELVIS and DAVID can only be used for criminal justice purposes in compliance with FCIC/NCIC rules and regulations.
- C.** Access to FCIC/NCIC requires FDLE certification. Members must adhere to all rules and procedures established by the CJIS Certification manual and the CJIS Security Policy, which are the basis for certification of agency members as FCIC/NCIC, ELVIS and DAVID users. ***Improper use of information obtained from any FCIC/NCIC and/or related applications and devices***

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may be unlawful, violate federal, state or local policies and may result in prosecution.

311.1 Definition

- A. Digital Certificate** - A computer data file used to validate a user's access to prevent unauthorized access. The file uses an exchange of encrypted data to gain access.
- B. Driver and Vehicle Information Database (DAVID)** - A driver license and vehicle registration database maintained by the Florida Department of Transportation, Division of Highway Safety and Motor Vehicles.
- C. Electronic License and Vehicle Information System (ELVIS)** - An application for accessing FCIC/NCIC records, maintained by the Florida Department of Law Enforcement, Florida Highway and Motor Vehicles, Florida State University and hosted by Panama City Police Department.
- D. Driver's Privacy Protection Act (DPPA)** - United States Code regulating the use of driver license information (18 United States Code 2721 et seq. & F.S. 119.071).
- E. Florida Criminal Justice Network (CJNet)** - A private data network operated by the Florida Department of Law Enforcement that serves as a secure means of data communications between law enforcement, correctional, and judicial agencies in the state.
- F. CJNet Website** - A limited-access website operated by the Florida Department of Law Enforcement that provides various resources and database access to criminal justice agencies. (<http://www.flcjin.net>)
- G. Electronic-Florida Online Reporting of Controlled Substances Evaluation program (E-FORCSE)** - Florida's Prescription Drug Monitoring Program (PDMP) provides the information that will be collected in the database to health care practitioners to guide their decision in prescribing and dispensing these highly-abused prescription drugs.
- H. Florida Department of Highway Safety and Motor Vehicles (DHSMV)** - The Florida state agency responsible for computerized driver license, vehicle, and traffic crash records. For purpose of this Standard Operating Procedure, the DHSMV is the provider agency for DAVID information.

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- I. Highly Restricted Personal Information** - As defined in the DAVID memorandum of understanding, an individual's photograph or image, signature, social security number, medical or disability information.

- J. Emergency Contact Information (ECI)** - Information that is dictated by Florida State Statute 119.0712(2)(c) and limits the use of ECI to law enforcement officials in order to locate and contact family members in the event of an emergency involving the provider of the information. The Florida Legislature has limited the release of ECI "to law enforcement agencies for the purposes of contacting those listed in the event of an emergency". The emergency must involve the person who submitted the information to DHSMV. Employees accessing ECI must do so within the guidelines of the Statute.

- K. Local Agency Security Officer (LASO)** - Ensures compliance with the CSP and acts as the security point of contact with the CJIS Systems Agency (CSA). FDLE is the CSA for Florida.

- L. Personal Information** - Information found in the motor vehicle or driver record which includes, but is not limited to, the subject's driver identification number, name, address, telephone number, and medical or disability information. Personal information does not include information related to vehicular crashes, driving violations, and driver's status. (18 USC S. 2721 definition & F.S. 119.071 definition.)

- M. Non-Transitory Messages** - Those records, which document or set official policies, actions, decisions, or transactions and are for the perpetuation or formalization of knowledge. These records are subject to public inspection.

- N. Advanced Authentication** - Provides for additional security to the typical user identification and authentication of login ID and password, for instance:
 - 1. Biometric systems
 - 2. User-based public key infrastructure (PKI)
 - 3. Smart cards
 - 4. Software tokens
 - 5. Hardware tokens

311.2 Agency Appointments

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A. Terminal Agency Coordinator (TAC) - The TAC will be appointed by the Communications Manager to serve as the liaison between the Agency and FDLE. The TAC is responsible for ensuring compliance with CJIS policies and procedures, including validation requirements, as they relate to FCIC/NCIC.

B. DAVID Point of Contact (POC) - The POC is responsible for approving, processing and managing the agency member's requests for access to DAVID in accordance with DHSMV guidelines.

C. E-FORCSE Administrator - The administrator shall be responsible for ensuring the Agency's compliance with the user agreement between the Agency and the Florida Department of Health and the laws and rules governing the access, use, and dissemination of the information received.

D. ELVIS Point of Contact (POC) - Agency members or employees designated to manage and supervise the ELVIS system at the Agency level. This position is also referred to as the Point-of-Contact (POC) in the ELVIS system.

E. LASO Point of Contact (POC) - Duties include:

1. Identify who has access to hardware, software, and firmware used to process/store CJI and ensure no unauthorized individuals or processes have access to the same.
2. Identify and document if and how the equipment is connected to the state system.
3. Ensure the approved and appropriate security measures are in place and working as expected.
4. Support policy compliance and ensure CSA ISO is promptly informed of security incidents.

311.3 Security - All devices accessing FCIC/NCIC must be placed in an area controlled by a criminal justice agency where only authorized individuals have access to the screen, printer(s), keyboard and other storage device. Access by means of a terminal device will be permitted only for criminal justice agencies in the discharge of their official, mandated responsibilities.

A. Security and Confidentiality of CJIS Information

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1. To ensure compliance with the FBI CJIS Security Policy and all rules, regulations, policies, and procedures established for CJNet, FCIC/NCIC, III and NLETS, only documented, authorized members will be granted access to the various criminal justice information systems; all such authorized users, to include contract law enforcement agencies and its authorized members, will be bound by the security requirements as set forth in Section III of the User Agreement with FDLE.
2. Information obtained from FCIC files, or obtained through computer interfaces to other state or federal systems, by means of access granted pursuant to [FSS 943.0525](#), can only be used for criminal justice purposes and must only be accessed by authorized users while on duty.
3. Users of CJNet, FCIC/NCIC, DAVID, ELVIS, III and NLETS or any other criminal justice information databases must adhere to all policies, procedures and operating instructions presently contained in current NCIC and NLETS documents and the FCIC Operating Manual. Unauthorized use includes, but is not limited to: queries not related to a legitimate law enforcement purpose, personal use and dissemination, sharing, copying or passing of sensitive information to unauthorized users and could result in civil proceedings against the offending agency and/or criminal proceedings against any user or other person involved.

B. Physical Security

1. Physical security measures for computers and network workstations are the responsibility of the office or unit where those systems are installed and located. The individual unit or office supervisor is responsible for providing physical safeguards for the hardware, software and data to the same extent as is provided for other agency property in the unit. All computers and workstations must use both logical and physical security as preventive measures.
2. Quarterly, the DAVID and ELVIS POC, at the direction of the Chief of Police, must conduct a documented audit of the DAVID and ELVIS system to ensure that the proper safeguarding of information, and the authorized access, use and dissemination of information are adhered to and maintained. The process is defined as described in 311.5.

C. Physical Access - Computer equipment will be kept in areas not easily accessible to the public or unauthorized persons. Agency members will control access to computers, servers, or attached hardware. This does not include outside agencies that have requested and been granted access to agency data.

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1. Access can also be considered as the unintentional viewing of information on a computer screen. All computers must be placed in a manner to prevent viewing by unauthorized persons.
2. Members must log off or lock of any computer that contains or has access to the agency computer network, mail system, files, FCIC/NCIC, DAVID, ELVIS, or software whenever they are no longer in physical control of the computer for an extended period of time.

D. Access to DAVID - Authorized members are permitted to use DAVID after proper application with DHSMV, signing off on this General Order, and verification through the POC. Users must not access any credentials which are not issued to them nor use another's credentials to access DAVID or any other CJIS network.

1. **DAVID System Administration** - The Uniform Services Division Commander must appoint a POC. The POC will:
 - a. Approve and assist members in obtaining access to the system.
 - b. Update user access permissions upon termination or reassignment of users within 5 working days and immediately update user access permissions upon discovery of negligent, improper, or unauthorized use or dissemination of information.
 - c. Conduct quarterly, or as directed by DHSMV, audit to ensure proper and authorized use and dissemination. The audit must be sufficient to allow the auditor to attest that internal controls of the personal data are adequate to protect the personal data from unauthorized use and dissemination while meeting all requirements of the current MOU with DHSMV.
 - d. Cooperate with DHSMV audits.
 - e. Send an annual affirmation indicating compliance with the requirements of the MOU no later than 30 days after the anniversary date of the MOU.

E. Access to ELVIS

1. Access to the ELVIS system will be available upon request to agency personnel where a reasonable investigative or administrative need for FCIC/NCIC information exists. This would include, but not be limited to

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sworn members, intelligence and analysis unit personnel, crime scene personnel, records personnel, and communications personnel. Other personnel employed by this Agency may be permitted access upon approval of their Division Commander.

2. Other than Information Technology personnel and the POC when testing access, users are prohibited from accessing the ELVIS system using another employee's personal information.
3. When using computers, particularly laptop computers with ELVIS access, employees will ensure that criminal history record and driver license information derived from Federal and State records systems will be viewed or disseminated only to criminal justice agency personnel and only for criminal justice purposes.
4. Access to the ELVIS website is only allowed on Agency issued devices or electronic devices issued by any local, county or Federal governmental agency.
5. Access to ELVIS is strictly forbidden on personally owned or public devices.
6. Employees are responsible for safeguarding their login information and passwords.

F. Security / Access to E-FORCSE

1. Restricted to Administrative and Authorized users only.
2. Users must complete the required training provided by the Florida Department of Health.
 - a. Review and demonstrate completion of the "Training Guide for Enforcement and Investigative Agencies".
 - b. Must demonstrate completion of the E-FORCSE "Information Security and Privacy Training Course".
3. Must log all inquiries.
4. Must turn in quarterly report to the appointed administrator with the completed log.

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311.4 Criminal Histories - In addition to the above requirements and procedures, the following guidelines will be observed regarding Criminal History inquiries and dissemination.

- A.** An inquiry will only be made by a CJIS Certified Operator and when authorized by competent authority pursuant to law enforcement objectives and be for law enforcement purposes only.
- B.** Criminal Histories will only be given to Criminal Justice Personnel recognized by FDLE as authorized to receive information.
- C.** Security procedures detailed in the CJIS Certification Manual will be followed.
- D.** When the person requesting and/or in the possession of the Criminal History shares any part of that information with another criminal justice professional outside of their agency, physically or verbally, that action is considered secondary dissemination. Any user that shares Criminal History information with a member of another law enforcement/criminal justice agency must maintain a secondary dissemination log. Unauthorized request, receipt, or release of FCIC/NCIC material could result in criminal proceedings. Any secondary dissemination will be completed on the Secondary Dissemination Log.
- E.** Secondary Dissemination logs must be maintained at the agency for at least 4 years for audit purposes.
- F.** Individuals maintaining their own Secondary Dissemination Logs must, upon separation from the Agency, turn the log over to the TAC, who will then be responsible for storing the log for audit purposes.
- G.** Any and all Criminal History requests after the initial use or purpose become summarily obsolete and should be destroyed. No Criminal History records will be maintained in any Agency case files.

311.5 Audits

- A.** The FDLE Audit Staff conducts audits every 3 years on every agency that has access to FCIC/NCIC. This audit consists of an on-site visit by audit staff. The objective of the audit is to verify adherence to CJIS policies and procedures. An audit may be conducted on a more frequent basis, if necessary, due to a failure to meet the standards of compliance.
 - 1.** During an on-site visit, FDLE auditors will evaluate entries in the system and a sample of these entries will be checked for accuracy and proper

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validation procedures. The auditor will review any Interagency User Agreements currently in use, perform a technical audit and may request a network diagram.

2. An out-briefing will be conducted and any violations, potential problems or recommendations will be identified and a written follow-up report sent to the Sheriff. If cited with a violation, the Agency must respond, in writing, within 30 days, identifying the corrective measures that have been taken to ensure compliance.

B. Chief of Police Directed Audits - The POC, at the direction of the Chief of Police, will conduct quarterly, or as directed by DHSMV, audit every September which will follow the below procedures:

1. Ten members with active DAVID and/or ELVIS credentials will be selected at random by an available member of the Union and either the IA Sergeant or Accreditation Sergeant.
2. The POC will randomly select a week during the year and check the selected member's queries during that time period.
3. The POC will provide a sampling of queries to either the IA or AMU Sergeant who will check to ascertain if there appears to be any misuse which could be, but not limited to:
 - a. Inappropriate reason codes.
 - b. Running siblings, spouses, ex-spouses, significant others, etc.
 - c. Running celebrities and/or political figures.
 - d. Running other members of this agency.
 - e. Running queries while off duty.
 - f. Repeatedly queried the same person(s).
 - g. Inappropriate access of the emergency contact information.
4. If there appears to be misuse, the auditing Sergeant will exhaust every option available (i.e., check member's history for the day) determine the legitimacy of the query or queries.

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- a. If there appears to be no legitimate reason for the query or queries in question, the Chief of Police will be notified who then will authorize an Internal Affairs investigation.
- b. If the investigation has shown that there was no legitimate reason for the query or queries, the offending member will be disciplined as described in [GO 402](#).
- c. The auditing Sergeant must then provide written documentation on department letterhead to be sent to the Chief of DHSMV which will include all of the following:
 - Brief summary of incident,
 - Number of records compromised,
 - Were the owners of the compromised records notified, if not, when will they be notified,
 - What disciplinary action was taken against the offending member,
 - The steps the Agency is taking to prevent any misuse of DAVID in the future.
- d. Upon the conclusion of the internal affairs investigation, the offending member's DAVID and/or ELVIS credentials must be immediately revoked for a minimum of thirty days for a first offense, sixty days on a second offense. If there is a third offense, the period of revocation will be determined solely by the Chief of Police.
5. The results of the query/investigation must be given to the POC who will complete the audit report which will be sent to DHSMV. A copy of the audit report will be made available to the Accreditation Unit for archive.

311.6 Computer Security Incident Response - Any suspected computer security incidents must be immediately brought to the attention of the LASO.

- A. The Information Technology Director or designee will order a technical review to determine if further investigation is necessary.
 1. If the findings of the review determine an actual breach, the Support Services Commander and the Chief of Police must be notified

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immediately. The LASO will notify FDLE of any suspected compromise of the CJNet.

2. The Support Services Commander or designee will determine what actions to take pending the outcome of the investigation, i.e. blocking of the system.
3. The Chief of Police or designee will determine the appropriate body to investigate the potential breach.

B. Recovery Activities - If recovery is required, it must include restoration via backup of data files, replacement of any hardware as needed and the repair of any weaknesses in the network suspected of having allowed the security breach. Temporary blocking of the system may be required during this phase, but down time will be minimized to prevent interruptions in operations.

PALM BAY POLICE DEPARTMENT GENERAL ORDER

Subject: Criminal Justice Information Systems (CJIS)

Order No: 312

Rescinds: CJIS Revised: 06/01/17

**CFA
5th:**

**Date:
02/12/19**

Reference: FDLE Criminal Justice User Agreement

FBI CJIS Security Policy [http://www.flcjin.net/News/2013August?The-FBI-CJIS-Security-Policy-\(CSP\)-Version-5-2.aspx](http://www.flcjin.net/News/2013August?The-FBI-CJIS-Security-Policy-(CSP)-Version-5-2.aspx)

CJIS Compliance Resources <http://www.flcjin.net.Compliance-Resources/Compliance-Resources.aspx>

CJIS Information Security <http://www.flcjin.net/Information-Security/Information-Security.aspx>

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312 Policy

- A.** It is the policy of the agency to secure Personally Identifiable Information (PII) and maintain CJIS resources and applications in accordance with the Criminal Justice Information Services Security Policy.
- B.** This directive establishes the department's policy regarding the use and security of the Criminal Justice Information System (CJIS), Driver and Vehicle Information Database (DAVID), Electronic License and Vehicle Information Database (ELVIS), National Crime Information Center (NCIC), Florida Crime Information Center (FCIC) and Personally Identifiable Information (PII) systems.

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- C. This directive shall apply to all members of the Palm Bay Police Department (PBPD) and others who have access to the secure areas of the building.

312.1 Definitions

- A. **BOLO Authority/ Responsibility** - Officer who requests a BOLO issued to coincide with the written report of an incident.
- B. **Criminal Justice Information (CJI)** - Information collected by criminal justice agencies that is needed for the performance of their legally authorized required functions.
- C. **Criminal Justice Information Services (CJIS)** - Programs within both the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI) responsible for the collection, warehousing, and timely dissemination of relevant Criminal Justice Information to qualified law enforcement, criminal justice, civilian, academic, employment and licensing agencies.
- D. **Criminal Justice Network (CJNet)** - CJNet is a secure Intranet designed for use by the Florida criminal justice community.
- E. **Florida Crime Information Center (FCIC)** - FCIC is Florida's law enforcement / criminal justice information system. The goal of FCIC is to help the criminal justice community perform its duties by providing and maintaining a computerized filing system of accurate and timely documented criminal information.
- F. **Local Warrant** - An active warrant check of local (Brevard County) files.
- G. **National Crime Information Center (NCIC)** - NCIC is a nationwide computerized information system established as a service to all criminal justice agencies - local, state and federal. FCIC is linked to NCIC to ensure that Florida law enforcement agencies have access to national files.
- H. **National Law Enforcement Telecommunication System (NLETS)** - NLETS is the high-speed message switching system that routes all messages to out-of-state law enforcement agencies.
- I. **Local Agency Security Officer (LASO)** - Every agency that accesses FCIC/NCIC and/or CJNet must designate a LASO to ensure compliance with the FBI CJIS Security Policy and any other applicable security requirements. The LASO should be knowledgeable about technical aspects of the agency network or be able to confirm information through local technical support.

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- J. Mobile Data Terminal (MDT)** - Computerized device used in emergency vehicles to communicate with a central dispatch office.
- K. Personally Identifiable Information (PII)** - Information which can be used to distinguish or trace an individual identity, such as name, social security number, or biometric records, alone or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, or mother's maiden name.
- L. Remote Access** - Any temporary access to an agency's information system by a user (or an information system) communicating temporarily through an external, non-agency controlled network (e.g. the Internet).
- M. Terminal Agency Coordinator (TAC)** - The TAC is responsible for ensuring agency and user compliance with CJIS policies and procedures as they relate to FCIC and NCIC. The TAC is designated by the Chief of Police and serves as the point-of-contact for matters relating to CJIS information access.

312.2 User Agreement

- A.** The User Agreement between an agency and FDLE/FBI is a legally-binding document that covers liability issues and outlines what is expected of the agency regarding proper use of the FCIC/NCIC systems. Whenever the agency head changes, the TAC shall prepare and submit an updated User Agreement to FDLE. The Chief's office shall be the central repository for these user agreements.
- B.** The agency TAC should be familiar with the contents of the agency's CJIS-related User Agreements. The TAC is responsible for notifying and ensuring that all agency users implement new CJIS procedures and capabilities when they are made available.

312.3 FCIC/NCIC User Certification

- A.** Each PBPD member using the FCIC/NCIC system must be certified. Each operator must successfully complete an FCIC/NCIC certification class within six months of employment or assignment to an FCIC workstation operator position or duties.
- B.** Certification must be renewed every two years. Access to the system is immediately denied if an operator allows his/her certification to expire.
- C.** Any operator whose certification has lapsed for two years or more is required to attend certification training prior to being re-certified.

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- D. Members who are assigned to an FCIC workstation operator position or duties may be granted temporary access to FCIC for six months. Operators must obtain FCIC/NCIC certification within that six month time period.

312.4 Use of CJI System's

- A. The CJI system, and information obtained from the system, may only be used by criminal justice personnel for criminal justice purposes only in compliance with NCIC rules and regulations, operation manuals, and state and federal laws. Information obtained from CJI files, or computer interfaces to other State or Federal systems shall only be used for criminal justice purposes by criminal justice personnel in compliance with rules, regulations, state and federal laws.

Agency members shall ensure that access to the system is for authorized criminal justice purposes, or for purposes authorized by state or federal law and shall regulate proper use at all times.

- B. The agency shall enforce the policies for information handling. This protection also applies to using CJI shared with or received from FBI CJIS for noncriminal purposes. A noncriminal justice purpose includes the use of criminal history records for purposes authorized by federal or state law other than purposes relating to the administration of criminal justice including but not limited to employment suitability, licensing determinations, immigration, naturalization matters, and security clearances.
- C. Agency members who violate CJI access rules and regulations, disclose information to unauthorized individuals, or violate any other CJI rules, regulations, or procedures will be subject to discipline up to and including dismissal as stated in PBPB policy.
- D. Questions regarding the use of the system or problems related to these systems should be directed to the TAC.
- E. The CJIS Certification Guide produced by FDLE shall be referenced by members to ensure that all required policies and procedures are being followed.
- F. Should a workstation malfunction, or become inoperable, the work station operator shall, as soon as possible, notify the PD Technical Services Unit. If the malfunction has been determined to be a security risk, the PD Technical Services Unit will complete a Security Incident Response Form and submit it to FDLE.

312.5 System Security

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A. Physical Security

1. The City IT Division shall serve as the FCIC/NCIC security officer (ISO) to ensure the security of CJI workstations.
2. The City IT Division shall be responsible for the secure connection of PBPD workstations to FCIC.
3. Hardware, software, and media including laptops, shall be located in a physically secure location when being used to access the FCIC/NCIC system. A "physically secure location" is a facility, an area, a room, a group of rooms, server room, wiring closets, or a police vehicle under the management control/ security of PBPD personnel. An Officer's residence is not necessarily considered a "secure location" if the system can be viewed by others (CFA 34.03).
4. All secured locations within the agency are behind locked doors and access is restricted to authorized personnel. Access is approved by the Chief of Police or his designee.
5. Each operator shall have his/her own password and user code, which shall be issued by TAC or Alternate TAC. Passwords and user codes shall be kept confidential and not shared with other agency members.
6. Workstation operators shall always log off at the end of their shift or whenever another operator wants to use the system.
7. The operator shall log off any time they are not in control of their workstations.
8. The agency shall take measures to prevent multiple concurrent active sessions for one user identification, for those applications accessing CJI, unless the agency grants authority based upon operational business needs. Agencies shall document the parameters of the operational business needs for multiple concurrent active sessions. The PBPD shall ensure that only authorized personnel can add, change, or remove component devices, dial up connections, and remove or alter programs.
9. The monitor shall not be visible to unauthorized persons.
10. Agency members shall accompany all visitors to computer centers and/or workstations areas at all times.

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11. A personally owned information system shall not be authorized to access, process, store or transmit CJI.
12. MDT users shall close the lid of their computer when exiting the vehicle with the computer on to prevent non-CJIS certified members or citizens from viewing data on the screen.

B. Media Protection

1. No CJI may be removed from a secured location and/or departmental authorized equipment. This media protection prohibits transfer of CJI to unauthorized individuals.
2. Data backup shall be kept in a secured location in electronic format. Physical media for archival purpose shall be stored in a secured location.
3. In the event that any electronic or physical CJI media needs to be transported outside of secured locations, this media must be transported by CJIS certified personnel. CJI media transported outside secured locations shall be packaged in a way by which the CJI is not viewable (i.e. manila envelope).
4. The agency shall sanitize, that is, overwrite at least three times or degauss electronic media prior to disposal or release for reuse by unauthorized individuals.
5. All printed CJI information will immediately be shredded by PD Records Unit Personnel after necessary information is obtained.
6. Inoperable electronic media shall be destroyed (cut up, shredded, etc.).
7. All computer systems containing CJI information shall have all disk and memory modules removed from the computer system prior to retiring the system. Disk drives shall be destroyed and made inoperable prior to disposal.
8. The agency shall maintain written documentation of the steps taken to sanitize or destroy electronic media.
9. Agencies shall ensure the sanitization or destruction of electronic media is carried out by the City IT Division.

C. Security Incident

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1. Any threat or perceived threat should be documented on a Security Incident Response Form and promptly forwarded up the chain of command to the TAC and LASO. The TAC and LASO will then forward to FDLE Customer Support Center. The Security Incident Response Form is located on CJNet.
 - a. The Security Incident Response Form shall be maintained with the City IT Division for a minimum of three years.
 - b. The LASO shall be designated point of contact (POC) on all security related issues.
2. The agency has software in place for both network and client security to proactively prevent a security incident from occurring. If a security incident occurs, notice will be sent via email to the City IT Division. The incident will be immediately logged and updated in the security software.
3. Any agency issued computer (laptop/desktop) which obtains a virus will be immediately disconnected from the Police network and immediately reported to the City IT Division for inspection. For each occurrence, a Security Incident Response Form will be filled out by City IT Division personnel.

The agency LASO will notify the agencies personnel when they are aware of security alerts. Notifications are at the discretion of the LASO.

D. Remote Access

1. The agency shall authorize, monitor, and control all methods of remote access to the information system. If access is allowed by the City IT Division, then documentation of rationale shall be obtained and maintained for a period of three years.
2. Authorized system administrators are allowed remote access for the purposes of maintaining systems that connect to FCIC (CJNet Workstations and CAD/RMS servers).

E. Wireless Protocol

1. The agency has established usage restrictions and implementation guidance for wireless technologies; and authorizes, monitors, and controls wireless access to the information system.
2. The agency shall grant wireless access via cellular devices (air cards) based on troubleshooting or privileged functions purposed.

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- a. The agency will enable logging where supported and review the logs on a recurring basis. At a minimum logs shall be reviewed monthly.
- b. The agency has enabled wireless features to include cryptographic authentication, firewalls and other privacy features.
- c. The agency shall ensure that encryption sizes are at least 128- bits and the default shared keys are replaced by unique keys.
- d. The agency shall ensure that ad hoc mode has been disabled or the City IT Division has assessed the risk and it is tolerable.
- e. The agency does not employ wireless access points. A VPN solution is used for connection to Wi-Fi access on MDT.

F. Authentication Strategy

- 1. The agency shall have mechanisms or processes that verify users are valid once they are uniquely identified. Each individual's identity shall be authenticated at the local agency level.
- 2. The agency utilizes RSA Securid key fob technology to comply with CJIS advanced authentication requirements.

G. Patch Management

- 1. The PBPB identifies and enforces patch management for all critical and security related patches. All CJIS facing systems are patched at least monthly to include:
 - a. Testing of appropriate patches before installation.
 - b. Rollback capabilities when installing patches, updates, etc.
 - c. Automatic updates without individual user intervention.
 - d. Centralized patch management.
 - e. Patch requirements discovered during security assessments, continuous monitoring, or indicated response activity shall be addressed expeditiously.
- 2. The agency shall employ virus protection mechanisms to detect and eradicate malicious code at critical points throughout the network. The

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PBPD shall ensure malicious code protection is enabled at all critical points.

H. Spam and Spyware

1. The agency shall implement Spam and Spyware protection to detect and take appropriate action on unsolicited messages, spyware/adware and employ these spam protection mechanisms at critical information system entry points, workstations, servers, and MDT's respectively, to include those transported by electronic mail and attachments, internet access, and removable media.
2. The agency shall receive, send, document, and react to as needed, for all alerts. Alerts will be addressed and disseminated by LASO.

I. Lost or Stolen Devices

1. User must notify the agency when a device is lost or stolen by emailing the City IT Division.
2. The agency will lock and wipe a lost and/or stolen phone.
3. The agency currently does not use advanced authentication (AA) waiver on laptops.

312.6 FCIC/NCIC Audits

- A. Audits by the FDLE Audit Staff are conducted every three years on each Florida Criminal Justice Agency having access to FCIC.
- B. During the audits FDLE staff will verify that all policies and procedures are being followed by the agency.
- C. The FDLE auditor will use a questionnaire to evaluate entries in the system and a sample of these entries will be checked for accuracy and proper validation procedures.
- D. The Chief of Police shall be notified of any violations found during the audit out-briefing, followed by a written report.
- E. If the agency is cited with a violation, the agency must respond, in writing, within thirty days identifying corrective measures taken to ensure compliance.

312.7 Related Policies - the following general orders contain more detailed information:

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- A. General Order 227 - Missing/Endangered Persons
- B. General Order 228 - Missing and Abducted Children
- C. Operating Manual E302 - Communications Center Call Taker Guidelines for Missing & Sexually Exploited Children
- D. Operating Manual A302 - FCIC/NCIC Procedures
- E. Operating Manual B302 - Communications Center
- F. General Order 402 - Discipline
- G. General Order 305 - Records Operations

312.8 Computerized Criminal History (CCH)

- A. Any member receiving a request for criminal history information must ensure that the person making the request is authorized to receive the information.
 - 1. Members receiving criminal history information shall comply with all rules and regulations.
 - 2. Any questions regarding the dissemination of criminal history information shall be directed to the TAC.
- B. Criminal history information may only be used for the purpose for which it was originally obtained. When the member completes the review of the criminal history, it will be shredded and not retained in any case file.
- C. Criminal history information, beyond that information necessary to effect an immediate identification or to ensure adequate safety for officers and the general public, will not be routinely transmitted over the radio system. When an officer determines an immediate need for such information, either to further an investigation or for the safety of an officer or the public, then details of criminal history record information may be transmitted within FDLE guidelines.
- D. Requests for criminal history information from non-criminal justice agencies for noncriminal justice purposes should be directed to FDLE.
- E. FDLE requires a secondary dissemination log of state or federal criminal history information shall be maintained for each query that will be shared outside the agency. Our agency policy is that we log ALL criminal history

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information. At the end of each month the log is forwarded to the Communications Center.

F. This record shall reflect:

1. Name, Race, Sex, and DOB
2. The FBI or state identification number (SID) or other numeric identifiers, if applicable
3. The purpose code for criminal history
4. The justification for the criminal history, such as case number
5. The person requesting the criminal history and/or who the criminal history was released to
6. The release date
7. The operator who ran the criminal history information

NOTE: this log shall be maintained for at least four years after the date of inquiry and must be available for FCIC/NCIC audit purposes.

G. Data retention, dissemination and destruction:

1. Criminal history information shall not be retained in case files when the case is closed or the record is superseded.
2. Criminal history information must be shredded when members are finished with the information.

312.9 Integrity of Records

- A.** The accuracy of FCIC/NCIC records is of primary importance.
- B.** The Teletype Operator is responsible for entries, modifications, cancellation, etc. Records must be entered, modified, canceled, cleared and located promptly to ensure maximum effectiveness. Supplemental reports are required to cancel or clear records from the FCIC/NCIC system.
- C.** Officers will complete reports of any kind to include all information that was available on the person or property before submitting to Communications for entry.

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- D. The Teletype Operator will maintain copies of all bolos issued or received by this agency, entries hit confirmations and locates. This information is maintained in files at the teletype position. Retention is one month then the information is shredded.
- E. FCIC terminal information will not be attached to, or made a part of any police report or record for the purpose of storage or later use.
- F. The Records Unit will maintain a validation program in accordance with applicable FCIC and NCIC regulations.
- G. The Records Unit will review retention periods for FCIC/NCIC entries in the FCIC and NCIC Manuals.

312.10 Teletype

- A. FCIC/NCIC entries and cancellations shall only be completed from documented information received from officers of the PBPd.
- B. Officers shall provide the necessary supporting information to the Teletype operator. The Teletype operator shall have immediate access to all FCIC/NCIC users' manuals and operational formats for maximum efficiency.
- C. In all cases, directly associated or supporting FCIC/NCIC entries and cancellations, an incident report shall be written (or caused to be written) by the officer making the request. The officer is responsible for notifying the Teletype operator the report is ready for entry/cancellation into the FCIC/NCIC system. The officer will document the Teletype operator's ID number in their report, noting, *"Teletype Operator ID xxxx notified to download the report for entry/cancellation."*
- D. The officer will provide the Teletype operator with information for BOLOs.
- E. The officer will submit their report for approvals.
- F. If an entry involved a missing juvenile, the requesting Officer shall issue a BOLO.
- G. BOLO cancellations shall be by Teletype personnel only. The only broadcasted BOLO cancellations shall be those of endangered missing persons.
- H. Dissemination of stolen vehicle information shall be a Teletype function. If the reporting field unit requests a BOLO, the stolen vehicle information shall be broadcast over all frequencies and a Teletype message shall be sent to the surrounding counties.

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FCIC/NCIC criminal history information shall not be transmitted over any radio frequency or phone, unless the officer's safety is in danger or the officer determines there is a danger to the public.

312.11 DAVID (Driver and Vehicle Information Database) System

- A.** The Point of Contact (POC) for DAVID must be assigned by an agency that accesses DAVID. The POC is responsible for approving, processing and managing the agency member's request for digital certificates, which allows the user to access DAVID. The POC is also responsible for ensuring that agency members are in compliance with the Department of Highway Safety and Motor Vehicles (DHSMV) User Agreement.
- B.** Users must apply online to DHSMV via DAVID link.
- C.** Users must request access to the DAVID system. Users must be in a position that requires a specific criminal justice purpose to have access to the system.
- D.** The POC or his/her designee must verify that all information entered by the user is accurate, and the user is in a position to legally have access to the system.
- E.** The user's Driver License (FL) will be queried to verify the user has a valid Driver License before access is granted. (DHSMV Mandate)
- F.** The POC will then approve the request.
- G.** An email will be sent to the user advising him/her that he/she has been approved and provide him/her with a system generated six digit user login. The user's password is chosen by the user when he/she applies for access to the system. The first time a user logs in he/she will have to view a certification PowerPoint presentation and then take and pass a 10-question test which is required by DHSMV. If the user does not pass, he/she has to repeat the test until passed.
- H.** Never look at the Emergency Contact information unless it is an "Emergency Notification Situation" as defined by memorandum of understanding (M.O.U.).
- I.** The POC will conduct Quarterly Control Reviews of the DAVID system. Any misuses will result in disciplinary actions per M.O.U. and department policy.

312.12 Violations

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Misuse or violations of this policy shall be addressed in accordance with Palm Bay Police Department General Order 402 Discipline and City of Palm Bay Rule XIV Disciplinary Action unless FDLE chooses to pursue criminal proceedings.

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Subject: CJIS Security		Order No: 313
Rescinds:	CFA 5th:	Revised:
Reference: DAVID MOU, FCIC/NCIC Rules and Regulations		
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313.21	<u>Bluetooth</u>	

311 Policy

- A. This General Order is to comply with the CJIS Security Policy requirements. Due to the evolving nature of the CJIS Security Policy, it is necessary to separately communicate the requirements of the CJIS Security Policy as they

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are developed and enhanced. These additional requirements are intended to be an enhancement to the existing General Orders and Operating Manuals of The Palm Bay Police Department.

- B. Any user who violates any portion of this policy will be subject to disciplinary action up to and including termination.

311.1 Definitions

- A. **Criminal Justice Information (CJI)** - the term used to refer to all of the FBI CJIS provided data necessary for law enforcement and civil agencies to perform their missions
- B. **Personally Identifiable Information (PII)** - Any information pertaining to an individual that can be used to distinguish or trace a person's identity. Examples include: Social Security number, Username/Password, Passport number, Credit card number, Clearances, Banking information, Biometrics, Data and place of birth, Mother's maiden name, Criminal, medical and financial records, educational transcripts, Photos and video including any of the above.
- C. **Biometric Data** - data derived from one or more intrinsic physical or behavioral traits of humans typically for the purpose of uniquely identifying individuals from within a population. It is used to identify individuals, to include: fingerprints, palm prints, iris scans, and facial recognition data.
- D. **Identity History Data** – textual data that corresponds with an individual's biometric data, providing a history of criminal and/or civil events for the identified individual.
- E. **Biographic Data** - information about individuals associated with a unique case, and not necessarily connected to identity data. Biographic data does not provide a history of an individual, only information related to a unique case.
- F. **Property Data** - information about vehicles and property associated with crime when accompanied by any personally identifiable information (PII).
- G. **Case/Incident History** - information about the history of criminal incidents.

311.2 Personally Identifiable Information (PII)

- A. All electronic files that contain PII will reside within the Agency's physically secure location. All physical files that contain PII will reside within a locked file

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cabinet or room when not being actively viewed or modified. PII is not to be downloaded to workstations or mobile devices (such as laptops, personal digital assistants, mobile phones, tablets or removable media) or to systems outside the protection of the Agency. PII will also not be sent through any form of insecure electronic communication as significant security risks emerge when PII is transferred from a secure location to a less secure location or is disposed of improperly. When disposing of PII the physical or electronic file will be shredded or securely deleted. All disposal of PII will be done by authorized Agency personnel.

- B. All PII will be collected only when there is a legal authority and it is necessary to conduct Agency duties.
- C. Access to PII is only conducted when the information is needed to conduct Agency official duties and should only be utilized for official purposes. Agency members will not create duplicate copies of documents that contain PII and will destroy the documents when no longer needed. When PII is extracted from a document, Agency members may only target the PII that is required for the task. PII that is extracted shall not be retained beyond the records retention rules for the data and the system it was accessed from. PII shall not be stored or transmitted via personally owned devices. PII may not be taken home by any Agency member.

311.3 Information Exchange

- A. The Agency will put forth formal agreements with other agencies prior to exchanging criminal justice information as well as the use of secondary dissemination.
- B. The Agency does not currently have any active Information Exchange Agreements for criminal justice information to be shared with other Criminal Justice Agencies. If an agreement were to be executed, this exchange is allowed only via hard copy.
- C. The Agency will verify the receiver of the information by calling back the requesting agency and verifying the employment status and validating they are allowed access to certain information. The Agency will validate that the receiver and document the information given as well as the identity of the requestor in a secondary dissemination log.
- D. All Disseminated CJI shall be documented in the dissemination log including: date, subject's name, SID or FBI number, requestor, requestor agency, operator, reason disseminated, and purpose code.

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311.4 Information Handling

- A.** Information obtained from the CJI systems, must only be used for criminal justice purposes. Personnel must follow all CJIS Security Policy, state and federal rules and regulations regarding CJI information. All personnel with access to CJI, audio as well as visual, shall receive the proper training within 30 days of hire. CJI or PII will not be transmitted via email unless encrypted. All information outlined in the information exchange and disposal of physical media shall be followed as well. These procedures shall include all inquiries for both criminal justice and non-criminal justice purposes.

- B.** The Agency utilizes servers for storage of criminal justice information. The servers are kept in a physically secured building inaccessible to non-authorized individuals. The doors have key card locks that are only accessible to Agency employees. The servers are encrypted with FIPS 140-2 certified encryption in order to secure the criminal justice data stored on them.

- C.** Physical information, such as reports that contain criminal justice information is stored in the records section that is only accessible to Agency personnel. The documents are stored in a locked filing cabinet and are only removed when needed for operational purposes. When removed, the information is kept by an authorized individual and then returned. The removal is documented in a log.

- D.** Any information that must leave the facility for transport will be done so only by authorized personnel and only for operational purposes.

- E.** All computers within the facility are turned away from view to prevent unintentional viewing or shoulder surfing.

- F.** The Agency prohibits emailing of CJI.

311.5 Incident Response for Electronic CJI, Physical CJI And Mobile Devices

- A.** If a breach of security incident occurs that results in unauthorized dissemination of CJI or the potential of unauthorized release of CJI involving electronic systems (workstations, smart phones, laptops, tablets, etc.) and/or physical CJI (i.e., print-outs), the LASO shall be contacted immediately. If it is deemed by the LASO to be a security breach of confidential information/CJI,

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a Security Incident Response Form will be filled out and submitted to FDLE ISO at fdlecjisiso@flcjin.net.

- B.** All users are responsible for reporting known or suspected information or information technology security incidents. All incidents must be reported immediately to the Agency LASO. The LASO will inform a member of CIT and document the incident.
- C.** If a suspected incident occurs on a user's mobile device, the user shall not turn off the device. The user will leave the device on and report the incident. A member of CIT will look over the device and determine if the incident is contained to the one device or if it is within the Agency system.
- D.** The agency will employ System Center Endpoint Protection on all desktop and laptop devices and will ensure that the antivirus software is up-to-date.
- E.** Incident response will be managed based on the level of severity of the incident. The level is a measure of its impact or threat on the operation or integrity of the Agency and its' information. High Level (potential to impact the network or criminal justice information) Medium Level (potential to impact one system or non-critical system) Low Level (has little or no risk of infecting a criminal justice system).
- F.** The Agency will identify the security breach by conducting the following:
 - 1. Confirm the discovery of a compromised resource(s).
 - 2. Evaluate the security incident.
 - 3. Identify the system(s) of information affected.
 - 4. Review all preliminary details
 - 5. Characterize the impact on the agency as: minimal, serious, or critical.
 - 6. Determine where and how the breach occurred.
 - a. Identify the source of compromise and the time frame involved. Review the network to identify all compromised or affected systems.
 - 7. Examine appropriate system and audit logs for further irregularities

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- a. Document all internet protocol (IP) addresses, operating systems, domain system names and other pertinent system information.
8. Initiate measures to contain and control the incident to prevent further unauthorized access.
9. Document actions throughout the process from initial detection to final resolution.

311.6 Account Management

The management of CJI system accounts shall be conducted by Communication & Information Technology personnel at the direction of the LASO in accordance with all policies and CJIS Security Policy requirements. New employee personnel will gain access to all systems upon start date but will lose access to CJI systems if training courses are not completed/ or passed within 30 days. All user accounts of retired, terminated or otherwise former and non-working employees shall be disabled and revoked immediately or as soon as practicable. User accounts suspected of compromise shall be immediately disabled upon first discovery of compromise. Logs of access privilege changes shall be maintained for a minimum of one year and document the validation process.

The Agency LASO is the point of contact for all accounts. The LASO shall manage information system accounts to include establishing, activating, modifying, reviewing, disabling, and removing user accounts on all Criminal Justice Information Systems.

A. Account Creation:

1. Upon completion of appropriate state and national fingerprint-based records check, the Agency will notify the LASO and provide the following information regarding the user:
 - a. Applicant full name
 - b. Applicant date of birth
 - c. Applicant social security number
 - d. Applicant start date
 - e. Applicant assigned MDT (laptop)

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- f. Applicant system(s) access
 - g. Applicant system(s) permissions
- 2. The LASO will create and establish a Windows Domain account for the applicant. Each account is uniquely identified by a user name derived from the user's last name followed by the first letter of the applicants' first name. All accounts are created to ensure a unique username for every individual.
- 3. The Domain account will be assigned a temporary password and will be set up to require the user to create a new password upon activating the first session. The password for the account must adhere to the Agency password requirements outlined in the Authentication Strategy Policy.
- 4. The LASO will establish an account for the OneSolution CAD/RMS for the user utilizing the same username requirements.
- 5. The LASO will identify the level of authority for the user for each application.
 - 1. Officer
 - 2. Supervisor
 - 3. Detective/Agent
 - 4. Records
 - 5. VCOP
 - 6. User
 - 7. Administrator
- 6. The LASO will provide the initial credentials and temporary password to the users' supervisor.

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7. Upon completion of paperwork, the user will be issued Agency equipment delegated to the users' position within the Agency. Equipment includes, but is not limited to, Agency laptop with internal wireless WAN and RSA SecurID token and will sign a receipt of all items. Subsequent equipment changes, deletions, enhancements will be documented via Track-It asset management suite and approved through Agency chain of command.

8. The LASO will meet with the new user upon starting to ensure proper access to each information system is granted.

B. Account Modification

1. In the event of promotion, demotion, suspension, leave or voluntary or involuntary termination, the supervisor will immediately notify the LASO of the change of status to ensure appropriate access changes are made to systems and applications.

2. Promotion/Demotion- Supervisor will notify LASO of the change of status and change of authority level.

3. The LASO will update all systems and applications as necessary to evolve with the current status of employment and will document these changes in the active directory.

4. Suspension/Leave- Supervisor will notify LASO of the temporary change to the users' account.
 - a. The LASO will temporarily deactivate the account on each system and application.

 - b. The Supervisor will collect all agency equipment from the user and document the transaction.

 - c. Upon reinstatement, the supervisor will notify the LASO and return all agency equipment to the user.

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- d. The LASO will reactivate the user accounts on all systems and applications.
- e. The user will verify that the accounts are active and sign an equipment receipt.

C. Account Termination

- 1. Upon termination from the Agency, whether voluntary or involuntary, the supervisor will inform the LASO of the employment change.
- 2. The LASO will disable all accounts on all information systems and applications.
- 3. The LASO will place the user in the Disabled User Organizational Unit within Active Directory, remove all access of controls from the user, disable Agency e-mail account, and remove remote access ability and all permissions.
- 4. The supervisor will collect all Agency equipment and have the user sign the equipment receipt.

D. Account Validation

- 1. The LASO will validate Agency User Accounts and Access Privilege Levels annually.
- 2. The LASO will document the date and time of the validation on the Agency Validation Form.
- 3. The LASO will verify that all active accounts are current and up-to-date.
- 4. Any changes made by the LASO involving an account will be documented.

311.7 System Access Control

- A. Access control policies are high-level requirements that specify how access to the information system(s) are managed and who may access the information under what circumstance. The purpose of this policy is to define standards and procedures for multiple concurrent sessions within the Agency information system(s).

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- B. Access to all CJI systems will be granted by the agency's LASO. Once access is granted, the Communication & Information Technology (CIT) Department will control access.
- C. Access to Agency information system(s) are based on a user's right to know, authority, and user group.
- D. The Agency does not allow multiple concurrent sessions.

311.8 Remote Access

- A. The Agency utilizes remote access to communicate with information systems through an external, non-agency-controlled network. The purpose of this policy is to outline acceptable methods of remote access and the security in place to keep the information system(s) secure.
- B. Remote access shall only be used for official use only. This includes those on duty patrol officers remoting in to agency's network using a NetMotion VPN tunnel. CIT personnel may remote access into the agency's network only for emergency purposes. Vendor companies may be granted access to the agency's network only if they are always virtually escorted by authorized personnel.
- C. All personnel needing remote access privileges will contact their immediate supervisor to submit a request to the agency's LASO/ CIT Department and request privileges. The agency's LASO/ CIT Department will provide the necessary access and/or equipment for allowing remote access. Once privileges are provided to the appropriate personnel, they will first login/initiate the remote access session. Their user name will be validated and granted access into the network.
- D. It is the responsibility of Agency employees, contractors and vendors with remote access privileges to the Agency network to ensure that the connection is secure. All remote access to the Agency information systems must be done through the Agency's NetMotion VPN tunnel. The tunnel will be verified as FIPS 140-2 certified. Those personnel accessing the NetMotion VPN must use advanced authentication as a secondary form of authentication in order to access the network. All access for contractors and vendors performing IT work will be done utilizing encrypted remote access. The Agency authorizes Bomgar and SecureLink remote access for this, which is FIPS 140-2 certified.

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- E. CIT will monitor and control all remote access to the Agency systems. For Virtual escorting, the Agency allows this for compelling operational needs. In these cases, CIT will monitor the session, be familiar with the system where work is being performed as well as have the ability to end the session at any time. CIT must verify the person gaining access prior to allowing the session.

311.9 Personally Owned Information Systems

- A. Personally owned devices include cell phones, tablets or any other device that is owned and maintained by the user, not the Agency.
- B. Personally owned devices are not allowed to access the agency's network. Therefore, a device that is not owned by the Agency, shall not process, store, access or transmit CJI.
- C. Under no circumstance are users allowed to connect their personal device to the Agency network or any Agency owned devices, applications or systems.

311.10 Authentication Strategy

- A. This Password Policy applies to all information systems and applications that contain or access criminal justice information or services. This includes, but is not limited to:
 - 1. Mainframes, servers and other devices that provide centralized computing capabilities
 - 2. SAN, NAS and other devices that provide centralized storage capabilities.
 - 3. Agency issued desktops, laptops, or any other device that provides distributed computing capabilities.
 - 4. Routers, switches and other devices that provide network capabilities.
 - 5. Firewalls and other devices that provide dedicated security capabilities.
 - 6. Windows Domain Accounts, Microsoft Office 365 e-mail accounts, OneSolution application accounts as well as any other criminal justice information system or service.

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- B. The Agency LASO will ensure each account is set up with a temporary password. When the user initiates a first time log-on, the temporary password will be entered and the user will be prompted to create a new password.
- C. The Agency dictates that each password and User-ID be unique and not be shared with any other individual. Users are forbidden to share their unique password or write it down. All passwords must be memorized.
- D. Each user who is authorized to access, store, process, administer and maintain the criminal justice systems and applications, and/or transmit criminal justice information must be uniquely identified. The purpose of this policy is to define standards and procedures for the administration of user and system passwords.
- E. To gain access to the agency's network, on duty patrol officers must establish two factor authentication, RSA SecurID tokencode and user name and password.
- F. If personnel are on the agency's network, a user name and password is required. All passwords should:
 - 1. Be a minimum length of eight (8) characters on all systems.
 - 2. Not be a dictionary word or proper name.
 - 3. Not be the same as the User name.
 - 4. Expire within a maximum of 90 calendar days.
 - 5. Not be identical to the previous ten (10) passwords.
 - 6. Not be transmitted in the clear outside the secure location.
 - 7. Not be displayed when entered.

User name will always be structured as such, *first five of last name first of first name (i.e. smithj)*.

311.11 Authenticator Management

- A. Authenticators will be assigned to personnel during training or upon reassignment. Any lost, compromised, or damaged authenticators should be

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reported to the CIT department immediately. Authenticators shall be deactivated immediately if personnel are terminated, retired, or have been reassigned.

- B.** Each user that accesses criminal justice information must be uniquely identified prior to being given access to the system and information. The Agency uses standard authenticators (passwords) as well as advanced authenticators (RSA SecurID tokens) for accessing criminal justice information in a secure manner.
- C.** A temporary standard authenticator is given to the user via the LASO during the first active session the user has. The user then creates a new password outlined in the authentication strategy policy.
- D.** Advanced authenticators are given to users prior to gaining access to criminal justice information outside of the physically secure location. The Agency utilizes RSA SecurID tokens for Advanced Authentication. The LASO will set up individual user access to retrieve the RSA SecurID token.
 - 1.** RSA SecurID Care:
 - a.** The user must always maintain possession of their token
 - b.** The token must be stored in a secured area, out of sight from others
 - c.** The user shall not share their token or loan the token to other users
 - d.** If the user loses their token, the user must immediately report the loss to the LASO
 - e.** If the user believes their token has been compromised, the user must report the issue to the LASO
 - f.** The user must renew their token PIN at a minimum of once per year

311.12 Media Protection

- A.** Media in all forms shall always be protected.
- B.** Digital and physical media is restricted to authorized individuals. Only those users of the Agency who have undergone a fingerprint based record check

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and have appropriate security awareness training will be allowed to handle criminal justice information in any form.

- C.** Handling physical media- The Agency will ensure that only authorized individuals will be granted access to media containing criminal justice information. The media will be stored within the physically secure building and kept behind locked doors and locked cabinets. When no longer needed, the electronic media will be disposed of by authorized agency personnel. Hard copies will be shredded by authorized personnel by using a cross cut shredder. Any physical media that is transported outside the physically secure location will be kept in a sealed envelope with evidence tape to ensure that the chain of custody is kept. When the media is released to another user, the user will document the transaction in a secondary dissemination log for validation purposes.
- D.** Handling of electronic media – The agency will ensure that only authorized personnel will be granted access to media containing CJI. Any computer that accesses criminal justice information within the facility will have a screen cover to ensure that information is not viewable by any unauthorized individual. All electronic media transported will be encrypted using an application that is FIPS 140-2 certified and employ at least 128 bit encryption.
- E.** At no time will the physical media be released to an unauthorized person or left without proper documentation.

311.13 Electronic Media Sanitization and Disposal

- A.** Electronic media that has reached the end of its lifecycle must be sanitized and disposed of to ensure that criminal justice information is not viewed or accessed by unauthorized individuals. Electronic media is defined as any electronic storage device that is used to record information, including, but not limited to: hard disks, magnetic tapes, compact disks, videotapes, audiotapes, and removable storage devices such as USB drives.
- B.** All electronic media must be properly sanitized before being transferred from the custody of the Agency. The proper method of sanitization depends on the type of media and the intended disposition of the media.
- C.** Hard Drives: The Agency will overwrite the hard drive utilizing a three pass wipe. This will ensure that the data on the drive is overwritten with patterns of

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binary ones and zeros. The sanitization of the hard drive is not complete until the third wipe passes and a verification pass is complete.

- D. Destruction of the hard drive will incorporate piercing into the drive. This will be carried out via hydraulic press and witnessed by authorized Agency personnel.
- E. USB drives, floppy disks, rewritable CD-ROMS, zip disks, videotapes and audiotapes will be erased if able and then destroyed by drilling or smashing, witnessed or carried out by authorized Agency personnel.

311.14 Disposal of Physical Media

- 1. The disposal of criminal justice information must be done in an effective manner in order to protect the secure information. The purpose of this policy is to lay out the proper disposal and destruction of physical media within the Agency.
- 2. When no longer needed, physical media such as hard copy print-outs shall be disposed of by the following method:
 - a. Shredded using an agency owned cross-cut shredder. The shredding will be done by authorized agency personnel.
- 3. The CJI is placed in locked shredding bins for Agency personnel to cross-cut shred on-site.

311.15 Physical Protection

- A. Only authorized personnel have access to the building where criminal justice information systems and components are located. The building is equipped with key fob swipe access for Agency personnel.
- B. Visitors must sign in at the front desk and produce identification. The Agency does not allow unescorted access by any non-agency member. When escorted into the building, visitors will wear a visitor's badge and be accompanied by an authorized Agency member.
- C. All computer screens will be turned away from public view.
- D. All physical media containing CJI will be locked in filing cabinet in a locked office. Only authorized personnel will have a key to the cabinet.

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- E. All computer components will be locked in the secure server room. Only CIT will access to the server room. All vendors and contractors will undergo fingerprint based records checks under the Agency ORI and will complete appropriate security awareness training.
- F. Any transportation of CJI will be done so securely. Only authorized personnel can transport CJI. It will physically be with the personnel or, if electronic, will be done so encrypted meeting the FIPS 140-2 standard.
- G. All Agency computers will be equipped with boundary protection tools and spam and spy ware to avoid any intrusion attacks.

311.16 Encryption

- A. The agency currently does not utilize PKI.

311.17 Voice Over Internet Protocol

- A. Voice over Internet Protocol (VoIP) is the routing of voice conversations over a packet switched network as opposed to the traditional circuit-switched telephone network. Voice and data convergence introduces many security issues that must be addressed prior to deployment and use of VoIP technology. The purpose of this policy is to define standards and procedures for the implementation of VoIP telephone systems as well as lay out restrictions in regards to criminal justice information.
- B. Voice over Internet Protocol (VoIP) – A set of software, hardware, and standards designed to make it possible to transmit voice over packet switched networks, either an internal Local Area Network, or across the Internet.
- C. Internet Protocol (IP) - A protocol used for communicating data across a packet-switched internetwork using the Internet Protocol Suite, also referred to as TCP/IP. IP is the primary protocol in the Internet Layer of the Internet Protocol Suite and has the task of delivering distinguished protocol datagrams (packets) from the source host to the destination host solely based on their addresses.
- D. To ensure the secure environment of the VoIP system, the Agency will enable the underlying data network is configured to host efficient bandwidth and

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reliability. The VoIP server will be dedicated only for applications required for VoIP operations.

- E. CIT will ensure that software patches for the VoIP system and servers originate from the system manufacturer and are applied in accordance with the manufacturer's instructions prior to implementing the patches.
- F. Security:
- G. The Agency will ensure all critical VoIP network and server components are located in the physically secured area and that only authorized personnel have access to them. This will limit physical access to the VoIP network segment.
- H. The Agency will ensure that the default administrative password on the IP phones and VoIP switches are changed prior to implementation.
- I. The Agency will utilize Virtual Local Area Network technology to segment VoIP traffic from the data traffic. The Agency will ensure that the VoIP system is not on the same VLAN as the Agency's information network.
- J. The Agency will use IPsec for all remote management and auditing access of the VoIP system.
- K. The Agency has enabled a VoIP-ready firewall designed for VoIP protocols to aid in securing the system.
- L. The agency does utilize a Voice over Internet Protocol (VoIP) for the telephone system. It is located on its own network and is encrypted.
- M. The agency will ensure the following usage restrictions for agency personnel:
 - 1. Do not divulge personal or criminal justice information to people you don't know.
 - 2. Be cognation of discussing criminal justice information using your VOIP Phone on Speaker with unauthorized personnel in the room.
 - 3. Do not install or connect devices to your VOIP Phone such as computers, Bluetooth, recording device, etc.
 - 4. Do not use mobile software apps to attach to VOIP System.

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5. Turn off all unused features on the VOIP System.
6. VOIP phone should not be used for international use (outside the United States and its' territories).
7. Do not store or save criminal justice information on VOIP System.
8. If power is lost to the VoIP adapter or if your internet connection is lost due to a power outage, you will be without phone service. Please ensure that your VOIP Phone is connected to the red or orange electrical outlet that provides generated power in case of power outage.
9. Do not connect fax machine into VOIP System to fax criminal justice information.
10. Do not connect alarm systems into VoIP System. Alarm Systems must be connected to copper POTS line.
11. If your VOIP Phone System does not provide a dial tone or is not showing the correct time/date and extension, please alert Communication & Information Technology (CIT) by email, cellular phone or walk-in visit to complete an incident and or work order. The CIT department may determine if it is a malicious code (i.e., worms, viruses, trojans), denial-of-service (DoS), distributed DoS (DDoS), and (though non-malicious) flash crowds event.

311.18 Patch Management

- A. All workstations, mobile devices and servers owned by the Agency must have up-to-date operating system security patches installed in order to protect the device and network from known vulnerabilities.
- B. Workstations, desktops and laptops have automatic updates enabled for the operating system patches. Current Agency servers have the minimum baseline requirements that define the default operating system level, service pack, hotfix, and patch level required to ensure the security of the Agency's data and network.
- C. CIT will manage the patching needs for the servers on the network. In addition, they will manage the patching needs for all workstations on the network. CIT will routinely assess the compliance of the patching policy and will provide guidance to all personnel of any security and patch management

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issues. CIT also approves monthly and emergency patch deployments if necessary.

- D. CIT will monitor and report the outcome of each patching cycle to the Agency LASO. This will enable the LASO to assess the current level of risk. If a patch is causing vulnerability on the network or appliance, CIT will roll the patch back in order to lessen the chance of vulnerabilities on the network.
- E. The agency's CIT department shall review all security relevant patches, service packs, and hot fixes from the vendors. Once reviewed, the patches will be fixed promptly.

311.19 Security Alerts and Advisories

- A. Security alerts and advisories are released to IT departments to ensure knowledge of newly discovered threats that may affect Agency Information Systems. The purpose of this policy is to define standards and procedures for security alerts and advisories.
- B. The CIT Department will monitor and/or receive alerts and advisories from the locations listed below. If an alert is determined to be critical or pertinent to Agency infrastructure, the appropriate personnel will be notified. All alerts and related actions will be recorded into an information log for Agency records.
- C. The CIT department has signed up for alerts and advisories from the following sites:
 - 1. <https://www.us-cert.gov>
 - 2. <https://www.cisecurity.org/ms-isac>
 - 3. <https://technet.microsoft.com/en-us/security>
- D. The Agency will receive information system security alerts and advisories from the above listed sites.
- E. Once an alert has been received or detected and has been determined to be a credible threat, CIT will notify the Agency LASO. If it is deemed an agency wide threat, the LASO will push the message out to all personnel via email, City Intranet homepage and OSMCT messaging.
- F. CIT will take appropriate action depending on the alert. This could include updating security settings and/or issuing information to all relevant Agency personnel with directions to ensure proper handling of the issue.

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- G. CIT will document the details of the alert in the security incident log. The log will remain with CIT for a period of four years.

311.20 Wireless Access Restrictions and Wi-Fi logs

- A. The Agency has implemented a wireless network for ease of daily operations. The use of the wireless network is for Agency information and systems only and should be utilized as such. The purpose of this policy is to provide the requirements for utilizing criminal justice information system(s) with wireless access.
- B. The Agency utilizes wireless access for the ability access the Agency information system. Agency personnel are only permitted to use the Agency wireless network for Agency business. Personnel may only access the network with Agency owned equipment. The CIT department will authorize individual users to utilize the network by giving them an agency owned mobile device terminal. The CIT department will monitor all connections and audit logs associated with the devices as well as the systems and applications that the device accesses. CIT will review these audit logs on a monthly basis or more frequently if there is an increased risk to agency information or systems.
- C. Agency personnel are not allowed to access Agency systems on any public wireless network. The access to the information system is only allowed for job-related functions. All personal use is prohibited. Users are not permitted to attempt to add, remove or modify any hardware, software, network devices or other information systems in place within the Agency.

311.21 Bluetooth

- A. Bluetooth technology is utilized as the open standard for short-range radio frequency communication. This policy provides the minimum baseline standard for connecting Bluetooth enabled devices to the Agency owned devices. The Agency utilizes Bluetooth technologies for operational processes only.
- B. Bluetooth technology, while not as secure as other forms of wireless technology is utilized for operational needs within the Agency. Currently, Rapid ID device and mobile printers. The device relies on Bluetooth due to the ability of the technology to operate in noisy environments by moving from frequency to frequency. By doing this, the device avoids getting interference from other signals as it transmits or receives the identifying information.

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- C.** The user must only use Agency owned Bluetooth devices to pair with criminal justice information systems. Currently, the user may only use the Rapid ID device and mobile printers with Bluetooth technology. The Agency maintains these devices and ensures that they meet the minimum requirements of Bluetooth specifications. All other Bluetooth devices are not to be utilized to pair with Agency systems, networks, and hardware.
- D.** The Agency is responsible for maintaining an encrypted security mode between the device and the pair.
- E.** The Bluetooth device must be in hidden mode to ensure that other individuals cannot connect to it.
- F.** The user should only activate Bluetooth when it is needed to perform an identification check
- G.** The Agency must ensure the firmware is up-to-date and that all patches are current
- H.** Bluetooth will only be used for official business purposes. The purposes include the agency's Rapid IDs, printers, and wireless mice. All other Bluetooth devices shall be approved by CIT.

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Rescinds: None	CFA 5th: Revised: 07/22/15
Reference: GO 302; GO 312	
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302.10	<u>Terminal Agency Coordinator (TAC)</u>

302 Purpose

- A.** The purpose of this standard operating procedure is to ensure that all members authorized to use, access or handle information from the FCIC/NCIC system conform to all rules and regulations as set forth by the Florida Department of Law Enforcement governing the operational use and dissemination of information obtained through the FCIC/NCIC computer system.
- B.** The Agency will maintain access to information from all criminal justice networks to include nearby agencies, regional law enforcement information networks, the Florida Crime Information Center (FCIC), and the National Crime Information Center (NCIC).
- C.** The User Agreement is a written agreement between FDLE and the Agency, which governs the terms and conditions of the Agency's connection with and use of, the FCIC/NCIC system. Violation of provisions of the user agreement can result in sanctions up to, and including, termination of access to the system by the Agency.

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302.1 Certification - Only certified operators can utilize the FCIC/NCIC computer. Each operator must successfully complete an FCIC certification class within six months of employment. Until certified, an FCIC operator must be supervised by a certified operator. Each operator must maintain certification by successfully completing an FCIC recertification test every two years. It is each member's responsibility to monitor their certification. The Communications operators are granted full access certification. Full certification allows the user to enter, modify, or delete records as well as make inquiries.

302.2 Security - The data stored in FCIC/NCIC is documented criminal justice information and access to that data must be restricted to authorized criminal justice agencies. **Any information gained through usage of the computer cannot be given to the public.**

- A. Because of the nature, complexity, and confidentiality of the work accomplished by the Agency, all members with access to the FCIC terminal, or to any information obtained from such terminal, will comply with Chapter 943, Florida Statutes, and the security rules set forth by the Florida Department of Law Enforcement (FDLE) and the Department of Justice/FBI (NCIC).
- B. Any information obtained from DHSMV (i.e., DL checks, tag information) cannot be released to anyone other than police personnel or a criminal justice agency; other than lien information, which can be released to wrecker companies. These requests have to be made through DHSMV in Tallahassee.
- C. All FCIC computer monitor screens will be positioned or shielded from public view and observation.
- D. A background investigation will be completed on all persons assigned to positions with access to the area where a FCIC terminal is located. Such investigation will include submission of the person's fingerprints to the FBI Identification Division by way of the FDLE Identification Bureau. When such person is an apparent fugitive or has a history of arrest for a felony or serious misdemeanor, the background investigator will notify the Chief. If the Chief decides to hire or retain such person, the matter must be referred to the Director of FDLE or his designee, who will make the final determination concerning such person's access to criminal history information or FCIC computer operations.

302.3 Criminal History Checks - Use of the criminal justice network and any system accessed through the criminal justice network is restricted to the administration of criminal justice or as otherwise specifically authorized or required by statute.

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- A.** Criminal history checks can be distributed to Department authorized personnel only, by FCIC/NCIC certified operators for criminal justice purposes. Requests from non criminal justice agencies or for non criminal justice purposes should be directed to the Florida Department of Law Enforcement.

- B.** Criminal history information, beyond that information necessary to effect an immediate identification or to ensure adequate safety for officers and the general public, will not be routinely transmitted over the radio system. When an officer determines an immediate need for such information, either to further an investigation or for the safety of an officer or the public, then details of criminal history record information may be transmitted within FDLE guidelines.

- C.** FDLE requires a secondary dissemination log of state or federal criminal history information shall be maintained for each query that will be shared outside the agency. Agency policy is to log ALL criminal history information. At the end of each month the log is forwarded to the Communications Center.

- D.** The Criminal History Log will include:
 - 1. Name, Race, Sex, and DOB.
 - 2. The FBI or state identification number (SID) or other numeric identifiers, if applicable.
 - 3. The purpose code for criminal history. Refer to the FCIC/NCIC full access certification manual for the proper use of purpose codes.
 - 4. The justification for the criminal history, such as case number.
 - 5. The person requesting the criminal history and/or to whom the criminal history was released. The requestor must sign the log if he/she leaves the Communications Center with the criminal history printout.
 - 6. The release date.
 - 7. The operator who ran the criminal history information.

NOTE: this log shall be maintained for at least four years after the date of inquiry and must be available for FCIC/NCIC audit purposes.

- E.** Data retention, dissemination and destruction:

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1. Criminal history information shall not be retained in case files when the case is closed or the record is superseded.
2. Criminal history information must be shredded when members are finished with the information.

302.4 Integrity of Records

- A. The accuracy of FCIC/NCIC records is of primary importance.
- B. The Teletype Operator is responsible for entries, modifications, cancellation, etc. Records must be entered, modified, canceled, cleared and located promptly to ensure maximum effectiveness. Supplemental reports are required to cancel or clear records from the FCIC/NCIC system.
- C. Officers will complete reports of any kind to include all information that was available on the person or property before submitting to Communications for entry.
- D. The Teletype Operator will maintain copies of all bolos issued or received by this agency, entries hit confirmations and locates. This information is maintained in files at the teletype position. Retention is one month then the information is shredded.
- E. FCIC terminal information will not be attached to, or made a part of any police report or record for the purpose of storage or later use.
- F. The Records Unit will maintain a validation program in accordance with applicable FCIC and NCIC regulations.

302.5 Retention Period for FCIC/NCIC Entries - Refer to the FCIC and NCIC Manuals for retention period.

302.6 FCIC/NCIC Entries

- A. The entering agency is responsible for the accuracy of records entered into the FCIC/NCIC systems. Verification of a record should include a cross search of other sources to ensure accurate record entry into the FCIC/NCIC systems. All information available in the agency's report must be entered in the FCIC/NCIC record. Some sources to consider include:
 1. Criminal History Record Information (CHRI)
 - a. SID and FBI numbers
 - b. Aliases

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- c. Additional DOB and SSN
 - d. Scars/marks/tattoos and other personal identifiers
- 2. DHSMV via FCIC/NCIC and/or DAVID
 - a. Vehicle and boat registration information
 - b. Image from DAVID if prisoner photograph not available
- 3. Internet
 - a. Electronics - verify type of device
 - b. Boat motors - determine if it is inboard or outboard
- B. Before entering a record into FCIC/NCIC, query the record first to determine if it has been entered in the FCIC/NCIC systems. If the record has not been entered proceed with the entry process using all available information for specific fields and their code translation as well as NCIC policy on record entries. Query the entry to verify it is accurate and complete.
- C. FDLE requires a second-party check of all entries to ensure the accuracy and completeness of the data. The second-party check process must include a "record-to-record" and "field-to-field" comparison to ensure the accuracy and completeness of the data. When a second-party checks the entry, the second-party will initial the cover sheet to confirm this detailed comparison was completed.
- D. Refer to the FCIC and NCIC manuals for additional information concerning entries.

302.7 FCIC/NCIC Cancellations and Confirmations

- A. FCIC/NCIC provides information on active HIT messages; however, information contain in FCIC/NCIC is a tool and does not alone constitute probable cause for arrest or seizure. Follow-up information from the entering agency must be used to verify any HIT. Refer to FCIC and NCIC manuals for additional information concerning HIT confirmations.
- B. When an agency recovers a stolen item, or apprehends a wanted or missing person for another agency, the Teletype Operator will place a LOCATE on the active record.

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C. When the Communications Center receives a HIT verification request message, the original report must be checked to ensure accurate responses to inquiring agencies. This can be accomplished by querying the report in LaserFiche. Once the message has been verified and recovery made, the Teletype Operator will clear the message. The information will be forwarded to the Records Unit.

D. HIT confirmation response time limits are set according to level of priority assigned by the requesting agency.

1. Urgent - requires response within 10 minutes.

2. Routine - requires response within one hour.

E. When a person or property is recovered, a Supplemental Report will be completed and sent to the Communications Center for removal from the FCIC/NCIC system. The information will be forwarded to the Records Unit.

302.8 Dental Records for Missing Persons - If a person has not been located within 30 days, the Investigator will contact the complainant and request dental forms be completed and returned. The Investigator will make a notation to the original report that contact was made and whether or not the complainant can and will supply the dental forms. If a dental form is received, the Teletype Operator will enter the information into the FCIC/NCIC system.

302.9 DNA Record for Missing Persons - If a person has not been located within 90 days, the investigator will contact the complainant and request DNA forms be completed and returned. The investigator will make a notation to the original report that contact was made and whether or not the complainant can and will supply the DNA forms. If a DNA form is received, the teletype operator will enter the information into the FCIC/NCIC system.

302.10 Terminal Agency Coordinator (TAC) - The Chief will appoint a Terminal Agency Coordinator (TAC).

The TAC is responsible for ensuring agency compliance with CJIS policies and procedures and acts as the agency's liaison with FDLE's Criminal Justice information Services (CJIS) staff. The TAC must complete and maintain an active certification status as Full Access FCIC/NCIC user and attend a TAC training class within 6 months of being appointed to the position. The TAC is responsible for the triennial FDLE audit of users, system access, adherence to state and national CJIS requirements and record information if designated as an entry agency. The TAC is required to have direct access to FCIC/NCIC.

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Rescinds: OMA 305 Revised: 04/09/15		CFA 5th: Chapter 26
		Revised: 03/26/19
Reference: GO 305		
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305 Purpose - The purpose of this Operating Manual is to establish standard operating procedures for the Records Unit and its records management and retention function.

305.1 Duties and Responsibility of Personnel

A. The Records Unit is located within the Support Services Division. The Records Unit encompasses the following areas of responsibilities and duties:

1. Traffic
2. Court /Processing
3. Customer Service
4. Records Custodian
5. Report Processing
6. UCR Reporting
7. NCIC/FCIC Validations

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8. Retention

B. The Records Unit staffing consists of the following described functions. Included within the designated assignments are the responsibilities of assisting the public, as requested, and assisting one another within the Unit and Department.

1. Supervisor - Duties consist of supervision and specialized tasks requiring responsible administrative work in coordinating the overall functions of the Unit. This supervisor reports to the Community Services Manager. Additional duties include:

- a. Directly supervises overall operation of the Records Unit.
- b. Reviews reports when necessary.
- c. Determines if records are releasable.
- d. Serves as the Department Primary Contact **Records Custodian**.
- e. Assists with preparation of the Records Unit Budget.
- f. Handles all performance evaluations of staff in the Records Unit.
- g. Monitors customer services and seeks out ideas for improvements.
- h. Handles all Records Unit required reports, or court orders for records.
- i. Serves on various committees as the Records Unit representative.
- j. Handles all court orders for Seal and Expunge.
- k. Submits Semi-Annual and Annual UCR report to FDLE.
- l. Handles Juvenile Purge and Report Retention records.
- m. Assist public and police personnel with requests for computer generated reports.
- n. Submit Hate Crime Report and Cargo Theft Report to FDLE by the month if there is an occurrence.
- o. Scan all case final dispositions.
- p. Submit Seatbelt statistics to DMV quarterly.

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q. Run and submit Department of Juvenile Justice report to State monthly.

r. Oversees weekly report for supplement processing.

2. Report Processing - Duties include:

a. Intake - Duties include:

- Receives all reports generated within the Agency daily.
- Reviews reports to ensure that report requirements are met.
- Kickback reports not complying with guidelines set up by the Records Supervisor, Police Administration and the State Attorney's Office.
- Processing of all reports that do not include traffic reports or charging documents.
- Process supplemental reports.
- Scan and distribute Final Dispositions to the Records Custodian, and Property and Evidence.
- Process and file reports with proper outside agencies.

b. Coding -

- Coding for all reports according to UCR and Department guideline.

c. Data Entry, UCR Mandatory Reports, Non-Mandatory Reports, into the system using the guidelines established by both the Records Supervisor and the Administration.

3. Court Processing - Duties include:

a. Separate reports by: Arrests, Domestic Violence, Capias Reports and Warrant Arrests for both Juveniles and Adults.

b. Review all reports to ensure that report requirements are met.

c. Kickback reports to officers for corrections or additional information that is needed.

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d. Correspond with SAO and the Clerk's office regarding additional information and supplemental reporting.

e. Process and file reports with proper outside agency.

4. Traffic - Duties include:

a. Separation of citations, accidents, traffic arrests and voided citations.

b. Review all paperwork to ensure that report and or citation information requirements are met.

c. Data entry of handwritten citations.

d. Corresponds with Clerk's Office and BAR regarding above-mentioned paperwork.

e. Kickbacks any not complying with requirements.

f. Process and file with proper outside agencies.

5. Customer Service - Duties include:

a. Telephone answering both for in-house calls and public calls.

b. Fax and Email Requests. This would include requests from outside agencies such as Department of Children and Families, SAO and any other outside police agency.

c. Request for Police Records Check. These are requests from both in-house and outside agencies.

d. Request for Incident Report copies. These are requests from both in-house and outside agencies.

e. Requests for accident reports. These are requests both from the general public and Insurance agencies.

f. Mail distribution. Sorts and distributes the mail within the Agency.

6. NCIC/FCIC Validations - This task is held by the certified NCIC/FCIC Validations Administrator which is responsible for following the guidelines set by FDLE and listed and instructed by the NCIC/FCIC manual. Duties to include:

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- a. **Validation** - The purpose of this process is to review information entered into the NCIC/FCIC data base to prevent problems that can occur if the information in the files are incomplete or inaccurate. All entries will be checked by a Records Specialist against the report information once the finalized paperwork is submitted into CRIMES. (All case report entries will be indication with year dash and last 6 digits, i.e. 12-000001)
- Location: Special NCIC/FCIC designated computer with a cross reference master file to show report validation process. Access only given to designated/certified Specialist.
 - Form: Computer (CRIMES/Laserfiche) and Paper.
 - Indexed: Numerically in individual case folders and computer.
 - Disposition: keep until purged from the NCIC/FCIC file per FDLE retention period. (All teletype paperwork will be shredded and deleted from files).
 - **Abandoned Vehicle** records that contain a VIN or OAN will remain on file for 90 days after date of entry.
 - **Articles** including license plate decals, will remain ~~in~~ on file for the year of entry plus one year, with the exception of the Toxic Hazardous Material file which remains on file indefinitely.
 - **Felony Vehicles** (vehicles wanted in conjunction with a felony) will remain ~~in~~ on file for ninety days.
 - **Lost Guns** will remain on file indefinitely until action is taken by the originating agency to cancel the record.
 - **Missing persons** will remain ~~in~~ on file indefinitely or until action is taken by the originating agency to Clear or Cancel the record or until a Locate is placed on the record (copy of CAD must be included in file, dental 30 days, DNA 60 days)
 - **Recovered guns** will remain on file for the balance of the year entered plus 2 years.
 - **Securities** (stolen, embezzled, or counterfeit) are retained in the NCIC Securities File for the balance of the year entered plus 4 years. Traveler's checks and money orders will remain on file for the balance of the year entered plus 2 years.

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- **Stolen boats** that do not contain a Boat Hull Number (BHN) or OAN will remain on file for 90 days after entry. Stolen boat records that contain a BHN or OAN will remain on file for year of entry plus 4 years.
 - **Stolen guns** will remain on file indefinitely until action is taken by the originating agency to cancel the record.
 - **Stolen licenses plates** will remain on file for the balance of the year of entry plus additional 4 years. Non-expiring license plates remain for the year of entry plus 4 years.
 - **Stolen vehicle** records which do not contain a vehicle identification number (VIN) or owner applied numbers (OAN) will remain on file 90 days after the date of entry. Stolen vehicle records that contain VIN or OAN will remain on file for the year of entry plus 4 years.
 - **Stolen Vehicle/Boat Part** records which contain a SER or OAN will remain on file for the balance of the year entered plus 4 years. Following this retention period, the records in the Vehicle/Boat Part File are retired. For example, a Vehicle/Boat Part File record entered in 1996 would be retired January 1, 2001. Records that do not contain a SER or OAN will remain on file for the year of entry plus 4 years.
 - **Stolen VIN plates, engines and transmissions** will remain on file for 90 days if there is no serial number (SER) or OAN. Stolen VIN plates, engines and transmissions with SER or OAN will remain on file for the year of entry plus 4 years.
 - **Unidentified persons** file records will remain indefinitely or until the originating agency clears the record.
- b. All Validations verifications will be completed on a monthly basis upon notification received by FDLE / CJIS. All communication between the victim and the Department will be done via mail, email or phone and noted on the hard copy kept in records.
 - c. Once letters are received back, the Validations Administrator person will confirm that the items have not been recovered and validate them in the computer. If the item has been recovered, it may be assigned to an officer for supplemental report and removal.
 - d. Cancellations will be completed by Communications personnel or Validations Administrator in Records.

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e. Modifications can be completed by the Validations Administrator.

- **Criminal Histories** - Any Criminal Histories that may be included with the reports must be shredded.

305.2 Report Procedures

A. The following procedure is used in all reports:

1. The responding member of the Agency who is assigned to a call for service will determine if a report or supplement is warranted.
2. If no report is written, it is the responsibility of the Officer to notify Dispatch. Dispatch will enter this into the computer as (no report). If a call status changes from a case report number needed to a no report, it is up to the officer close out the case number as "DR issued in Error", "No Report".

B. It is the responsibility of the Officer to make sure that all necessary paperwork is completed for any given offense. This can be done accurately by using the report requirements.

C. Once the report/supplement is written, it is submitted to a unit/squad sergeant for review and approval. If report is correct and error free, the Sergeant will sign it and forward to their Lieutenant for final approval. If there are errors, one of the supervisors will return to the officer (owner) of the report for corrections.

D. When the report is complete, it will be submitted into the Approved folder in Infield reporting. Hard copies will be placed in an envelope to be turned into the Records Unit for processing. All hardcopies will be logged on the Sgt log sheets for tracking. All envelopes are placed into the report drop box outside of the records unit. Once an original report is turned into Records, it will be retained in Records. Any individual requesting access to records will go through the Records Supervisor or designee for approval. If any officer requests a copy of a report it will be logged on the inside log sheet of the file or the request will be scanned to the computer file. If an Officer reviews a juvenile file without making a copy of it must still be logged on the inside sheet.

E. Once in Records, the computer will automatically log the report into CMS with the officer's name and date the report was completed along with who the supervisor and lieutenant was that signed off the report. The final step is for the Records personnel to assign their name and date to the report it was

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received on. **Reports will be sorted and distributed accordingly, to include:**

1. Traffic Arrests, citations and accidents will go to the Traffic Records Position. At this time, they will re-check to make sure all necessary information has been submitted, and then processed according to guidelines.
2. All Arrests, Misdemeanor, Felony, Juveniles and Adults, will go to the Court Processing Position. At this time, they will re-check to make sure all necessary information has been submitted, and then process according to position guidelines. All Juvenile reports will be stamped "Juvenile and Confidential" and filed in locked cabinet. All sexual abuse and child abuse cases will be clearly stamped "Confidential".
3. Domestic Violence Reports, a copy of the report is sent to the nearest locally certified domestic violence shelter within 24 hours after receipt in accordance with F.S. 741.29.
4. All other reports will go the Report Processing Positions. At this time, they will re-check to make sure all necessary information has been submitted, and then processed according to guidelines.
5. Every six months all UCR statistics are calculated and submitted to the following personnel:
 - a. Chief
 - b. Deputy Chief
 - c. Commanders
 - d. Records Supervisor
6. Bi-annually, a UCR report will be sent to FDLE following the guidelines given in the UCR manual. This is submitted to FDLE digitally using a program they provide. The UCR Manual will be maintained by each Records Clerk with an additional copy kept in the Records Unit. The manual will be made available upon request to other members of the Agency.
7. All reports are retained per General Records (GS-1) and (GS-2). The General Records Schedule for Law Enforcement Agencies, GS-1 and GS-2 will be kept in the Records Unit for review. Inspection and Examination Records (FSS 119.07). All records personnel will have access to a copy

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of the manual provided by FDLE that covers this State Statute. These guidelines will be strictly adhered to.

- a. There will be a clipboard at the front counter outside of records where all **releasable** arrests will be posted for public viewing and stamped DO NOT REMOVE.
- b. Any admittance to Records Unit by anyone other than Agency personnel must be authorized by the Records Supervisor or authorized administrator. No unauthorized persons will be allowed into Records without permission.
- c. All authorized personnel entering Records after hours must log in with the information as to whom, when and why. This also applies to everyone that is not an Agency employee during normal business hours.

305.3 Crime Management System (CMS)/Arrest Records - The Agency has a Crime Management System. Arrest information, both adults and juveniles, will be entered into the Crime Management System by Records Personnel. Juvenile arrest records will be kept separate from adult arrest records. All Records Unit personnel will be authorized to retrieve arrest records when required.

305.4 Incident and Crash Reports Data Entry in CMS - All reports generated by the Agency will be entered into CMS. Data entry of reports will be entered in accordance with system guidelines.

- A. Records personnel will quality control all reports written by field services and the Traffic Unit.
- B. Records Personnel are the only individuals permitted access to Records files. It is prohibited that Original Reports leave the Records Unit.
 1. Information will be released based on FSS 119.07 and strictly adhered to.
 2. All Reports are retained according to the State of Florida GS-1 and GS-2 Manual. Reports will be logged, recorded and boxed. A temporary box number is then assigned to each box. At this time, the City Clerk's Office is notified, and all boxes are transferred to their office. The City Clerk's Office will assign a permanent box number and send boxes to a storage facility. City Clerk's Office will then email an updated list of box numbers to the Records Supervisor.
 3. Records retrieval for police personnel will be available on a twenty-four hour basis. In the event that Records Unit personnel are off-duty, Communications Section supervisors are authorized to retrieve records

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through Laserfiche. If necessary, the Records supervisor or designated records personnel may be called out. This call out information will be logged in the After Hours log.

4. Juvenile Reports will be filed separately from adult reports (red folders indicating Confidential).

C. Guidelines for Crash Reports

1. Copies of the crash reports will be kept in Laserfiche and are also available through the TRACS system and at www.buycrash.com.
2. All crash reports are retained according to the State of Florida GS-1 and GS-2 Manual.
3. Copies of crash reports are to be made available to the general public 60 days after the accident. Only those who are authorized according to FSS 316.066 will be able to receive these reports once in the Records Unit.
4. In the event that Records Unit personnel are off-duty, Communications Section supervisors are authorized to retrieve records. If necessary, the Records supervisor or designated records personnel may be called out.

- D. All reports processed in the Agency are entered into the Crimes Management System. There are seven different modules which are maintained.

305.5 Seal, Expunge, and Purges Orders

A. Sealed Records

1. The Records Supervisor or designated personnel will be responsible for the preservation of a criminal arrest report or portion pursuant to an order issued by a court of jurisdiction. All paperwork will be initiated within 24 hrs of receipt.
2. The record will be maintained in a non-public record status accessible to Criminal Justice Agencies only.
3. Process:
 - a. Identify the subject of the court order that has been stamped by the Clerk of the Court with the subject's arrest record, case number, name, DOB and date of arrest.
 - b. Send a letter and a copy of court order to Florida Department of Law Enforcement.

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- c. A request for all information pertaining to the arrest will be sent to the following units:
 - Property and Evidence
 - SIU
 - MCU
 - GCU
 - DNA Commander
 - Revenue Unit
- d. Send an email to IT Department requesting the name be sealed from the Call for Service if it is present, otherwise the Records Supervisor or designee will remove from the Incident and Person Modules.
- e. The gathered material will be sealed in an envelope with the following noted on the envelope:
 - a. Court Case Number
 - b. First 2 letter of the last name

B. Expunges

1. The Records Supervisor or designated personnel will be responsible for the expunged (destruction) criminal record or portion of a record pursuant to a court order.
2. Process:
 - a. Identify the subject of the court order that has been stamped by the Clerk of the Court with the subject's arrest record, case number, name, DOB and date of arrest.
 - b. Send a letter and a copy of court order to Florida Department of Law Enforcement.
 - c. A request for all information pertaining to the arrest will be sent to the following units:
 - Property and Evidence

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- SIU
 - MCU
 - GCU
 - DNA Commander
 - Investigative Cost Recovery (Revenue Unit)
- d. Send an email to IT Department requesting the name be sealed from the Call for Service if it is present, otherwise the Records Supervisor or designee will remove from the Incident and Person Modules.
 - e. All related reports will be removed. Should a co-defendant exist, the name of the defendant being expunged will be redacted and the report returned to the file.
 - f. Upon completion of the expunging process, all material gathered will be placed in an envelope and sealed.
 - g. The expunged material will then be destroyed immediately through shredding. A notice of case expunction will be indicated in the case report.

305.6 Unit Service Evaluation

- A. The following are the general areas of responsibilities of the Records Unit and will serve as an evaluation tool of the Unit.
 1. **Data Entries** - A report will be generated to quantify data entry of all employees.
 2. **State Citations Processed** - All State Citations issued by the members of this Agency will be maintained in the Records Unit in Laserfiche
 3. **Seal or Expunges** - The Records Supervisor or designated personnel, will maintain a record of all expunges/seals.
 4. **Court Correspondence** - All correspondence from this Agency will be maintained in the Records Unit in Laserfiche.
 5. **Uniform Crime Reports** - Copies of all reports sent to FDLE will be kept on file in the Records Supervisor's office and in Laserfiche.

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- B. Personnel assigned to task functions are responsible for having those particular records maintained.

305.7 Juvenile Records - Agency records involving juveniles are collected from the same sources and in the same manner as any other record. Records Specialists processing an incident report or arrest report involving a juvenile victim, suspect or arrestee will mark each page of the report "Juvenile". All records pertaining to juveniles and sexual type assaults or child abuse cases will be maintained in Laserfiche and stamped with "CONFIDENTIAL" or "JUVENILE CONFIDENTIAL".

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Subject: Communications Center Procedures	OM No: B302	
Rescinds: OMB302 Radio Communications/ Teletype Operations Revised: 03/19/19	CFA 5th: 22.03, 25.01, 25.02, 25.03, 25.05, 25.07, 25.09, 25.12, 25.15, 25.16	Revision Date: 08/20/19
Reference: GO 214, 215, 216, 218, 223, 302, 309, 311, 312, 401, 402, 706.OM A215, A302, C302. Communications Section Organizational Chart. www.fcc.gov . CFS Call Guide		

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302 Public Safety Communications Purpose

- A. The purpose of this Public Safety Communications Center Operating Manual is to establish standard operating procedures for the Communications Center.
- B. For the purposes of the Communications Center Operating Manual and applicable Agency Directives, the terms “Public Safety Communications”,

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“Communications”, “Public Safety Answering Point”, “PSAP”, “Communications Section” and “Communications Center” will be synonymous.

302.1 Organization and Management

A. 911 Public Safety Telecommunicator Certification

1. Effective October 1, 2012, **FSS 401.465** requires 911 Public Safety Telecommunicators employed in the State of Florida to be certified within 12 months of their hire date in order to work a position within the Communications Center as a solo operator.
2. If the new employee is not certified at the time of employment, they will be required to complete a minimum of 232 hours of training and successfully pass the state exam to become certified. The option available in Brevard County is Eastern Florida State College Public Safety Institute which has an approved program through the Department of Health.
3. Until certified, the new member must work under the direct supervision of a certified 911 Public Safety Telecommunicator.
4. After initial certification, the 911 Public Safety Telecommunicator will be required to recertify every odd year by completing 20 hours of training.
5. Refer to Florida Department of Health website for details about the certification and recertification process.

B. Management Responsibilities

1. The Public Safety Communications Center is under the command responsibility of the Palm Bay Police Department Support Services Division.
2. The Communications Manager will recommend employment of all Communications personnel and manage the Communications Center.

C. Organizational Structure - The Communications Manager will be responsible for the overall operation of the Communications Center. The Communication Manager’s direct supervisor is the Support Services Commander.

1. Operations Unit

- a. Shift Supervisors oversee the three shifts responsible for processing all 911 emergencies and non-emergency calls for service, the teletype operation and the dispatching of all law enforcement field units served by the Communications Center. The Shift Supervisors and Alternate

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Shift Supervisors will be delegated the appropriate authority to supervise shift operations. The Shift Supervisor is under the direct supervision of the Communications Manager.

- b. Support** - The Communications Manager provides oversight and supports Communications Center administratively and operationally, and serves as a liaison to other City Departments and outside vendors.
- c. Departments Served** - The Palm Bay Police is served by the Communications Center (call taking, dispatching and teletype).

302.2 Code of Ethics

- A.** The Communications Center has adopted, and all personnel will abide by, the Association of Public Safety Communications Officials, Inc. (APCO) Code of Ethics. **This will be in addition to the Agency mandates for all employees in the Professional Conduct [GO 401](#) and applicable Department General Orders.** All Communications personnel will read, sign and abide by this Code of Ethics. A signed copy of the Code of Ethics will be maintained in each member's personnel file.

B. Code of Ethics:

As a Public Safety Telecommunicator, I am dedicated to serve the public; to safeguard life and property; to keep my personnel informed on all calls that may require their attention; to assist all public safety vehicles and personnel in the performance of their duties; assure that all rules and regulations which govern my position are not violated in any manner.

I will keep my private and social life free from all criticism; maintain a calm attitude during times of stress and emergencies; develop self-control and be constantly mindful of the welfare of others, regardless of race, creed, or religion. I will obey the laws of the land, rules and regulations of the Federal Communications Commission, and of my department. Whatever information I receive of a confidential nature will be revealed only in the official performance of my duties.

I will never act in a selfish manner or let my personal feelings, friendships, prejudices or animosity influence my decisions. I will enforce the rules and regulations of my department and the Federal Communications Commission without fear, favor, or ill will, never employing unnecessary force and never accepting gratuities.

I recognize the high responsibility of my position as a symbol of public faith and trust and will accept it to be held as long as I am faithful to the ethics of public

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*safety service. I will constantly strive to achieve those objectives and ideals, which govern my profession, dedicating myself, before God, to my chosen profession, Public Safety TeleCommunications. **

Published by the Association of Public Safety Communications Officials, Inc (APCO). Written by: Evert E. Carter, Chief Dispatcher, Williamson County Sheriff's Office, Marion, Illinois. 1981.

302.3 Communications Training & Evaluation Program

A. Program Overview - The Communications Center will provide comprehensive on-the-job training to all new members. Refer to [OMC 302](#).

B. CTO Program Duties and Responsibilities

- 1. Communications Manager** - Oversees the Communications Center operation, training and equipment.
- 2. Communication Training and Evaluation Program (CTEP) Coordinator** - The CTEP Coordinator is responsible for all operational aspects of the Communications Training and Evaluation Program to include the activities of CTO and Trainee during all phases of training. The Communications Center includes the 911/Call Taking, Police Dispatch and Teletype operation. The CTEP Coordinator is responsible for collecting and reviewing all appropriate training-related DORs and forms.
- 3. Shift Supervisor** - Oversees the daily shift operations and training of their assigned personnel. This unit includes the 911/Call Taking, Police Dispatch and Teletype operation. The Shift Supervisor is responsible for collecting and reviewing all appropriate training-related paperwork and forms.
- 4. Alternate Shift Supervisor** - Oversees the daily operation of their assigned shift in the absence of the Shift Supervisor.
- 5. Communication Training Officer** - This is a specialized position charged with the training and coaching of new employees throughout the Communications Training & Evaluation Program.
 - a.** The Communication Training Officer (CTO) has many roles that must be assumed during the time an employee is being trained. The two most important roles are that of CTO and Communications Operator.
 - b.** The CTO is not relieved of normal Communications duties while training and is responsible for effective, efficient operation of the assigned workstation during training.

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- c. While the CTO is training the employee, he or she **must continue** to function as a Communications Operator. This is a stressful situation, but one that cannot be avoided. **The CTO is the trainees' immediate supervisor and must act in accordance with the accepted standards and policies.**
- d. The CTO is required to complete the APCO Communications Training Officer Certification course.—

C. Assignment - All new members will be assigned to the Communications Training & Evaluation Program and receive training in the call taking (911 and administrative), Teletype, and Police Radio positions. When in training the new employee will be directly supervised by a CTO. At no time will the new employee (trainee) be permitted to work a position without the direct supervision of a CTO.

D. Duration - On the job training in each phase consist of four to six weeks (includes remedial training time if needed) with one week of check off. New employees will receive daily progress reports and will be capable of performing all duties listed for each phase of training prior to release from the program.

302.4 Communications Center Components

A. Organizational Chart - The Communications Manager maintains a current organizational chart that accurately reflects Communication Center personnel within the organizational structure. The chart will group similar functions and will provide a clear picture of the chain of command from line positions to the Police Chief and will supplement the Agency's overall Organizational Structure Chart in General Order 102.

1. Police Chief
2. Deputy Chief
3. Support Services Commander
4. Communications Manager
5. Telecommunications Shift Supervisor
6. Telecommunicator

B. Use of Chart - Management will use the chart in regular reviews of the member structure of the section. In addition to the organization chart, a listing of all job

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titles and position descriptions will be maintained for easy reference. Among the positions established will be the:

1. Communications Manager
2. Shift Supervisors
3. Alternate Shift Supervisors
4. Communications Training Officer
5. Telecommunicators - Full Performance Call Taker/Dispatchers

C. Review - The organizational chart and supporting materials will be reviewed annually by the Communications Manager and updated as needed.

302.5 Orders and Directives

A. The Communications Manager will have authority to issue daily written or verbal orders on scheduling and general operational procedures.

B. Procedures Manual - The Communications Center will compile and maintain a uniform body of policies and procedures that are reviewed periodically and approved by the Communications Manager. All members will have electronic access of policies and procedures directly related to their duties in DMS and will have available to them all other policies and procedures related to Communications operations. Copies of these policies will also be maintained in a central location. These uniform policies and procedures will be called the "Resource Center" for Communications operating procedures.

C. Other Written Directives - Communications members will be responsible for all electronic emails and directives as provided in Department Computer Operations [GO 309](#). Copies of all written orders will be emailed to the Accreditation Management Unit for review and filing. These directives will remain in effect until replaced, revised or a notice of discontinuance is issued.

D. Responsibility - The Communications Manager will be responsible for overseeing the policy and procedure development and maintenance function for the Communications Center. The function may be delegated; however, the responsibility will remain with the Communications Manager. The assigned member will maintain a complete set of records, to include the following:

1. A complete set of all policies and standard operating procedures, including addenda relating to Communications Center operations.

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2. A record of all correspondence relating to proposed Communications Center policy development
 3. Documentation of the complete review of all Communications policies, and annual review of the policies by the Communications Manager.
- E. Manual Format** - The Communications Operating Manual will be numbered and indexed to Department Written Directive System [GO 301](#).

F. Policy Compliance and Maintenance

1. The Communications Manager will be responsible for establishing a system to monitor program compliance with these policies and procedures through regular reviews and inspections.
2. The Shift Supervisors will maintain, update and provide staff training related to all policies and procedures of the Center. This training may be in addition to training provided by the Agency Training Unit.
3. The policy review process will observe the distinction between evaluation of the policy itself and the evaluation of compliance with the various policy provisions.
4. All Communications policies and procedures will be reviewed periodically. Revised pages will be submitted to the Accreditation Unit via email. Any revisions will be sent for approval through the Communications Approval Workflow via DMS.
5. All Communications members will be familiar with and abide by the Police Department General Orders and the City Rules and Regulations as they relate to the Communications Center.

302.6 Specialty Assignments

- A. Review** - The Communications Manager must review the specialty assignments as listed below to determine if they should be continued. In the event a specialty position becomes vacant, or a new specialty position is created, a formal announcement must be made and the position must be filled by a selection process.

B. Communications Center Specialty Positions and Purpose

1. **Terminal Agency Coordinator (TAC) - FCIC Agency Coordinator (FAC)**
- Ensures compliance with the CJIS User Agreement, and to assist in facilitating communication between FDLE and the agency regarding

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FCIC/National Crime Information Center (NCIC) related matters. The FAC is required to know the interactions with FCIC, NCIC, III, Nlets and required to respond to FDLE during normal business hours. Agency liaison with FDLE pertaining to the Criminal Justice Information System. Responsibilities are outlined by FDLE. The assigned FAC is required to be CJIS Limited or Full Access certified and shall have attended a TAC training class within the last 5 years or attend FAC training within six (6) months of assignment to the position. Agencies may designate an Alt-FAC to assist with FAC duties.

2. **CJIS Agency Coordinator (CAC)** - Acts as the central point of contact point of contact regarding all communications between FDLE CJIS and the User. The CAC assists FDLE in helping facilitate discussions regarding DMIS matters between the User and FDLE. This individual shall have the authority to ensure that all User agency identified personnel, including those with decision making authority, are made aware and able to participate in all FDLE CJIS discussions that may lead to User business and policy changes. The CAC shall have the authority to appoint other User agency personnel to serve in other designated CJIS positions and sign the agency contact form. The CAC shall maintain a current copy of their agency's CJIS User Agreement with FDLE.
3. **Communications Training Officers (CTO)** - Provide training to all new employees, both in orientation and on-the-job training in: 9-1-1/Call Taking, Teletype and Police Radio. CTOs are required to attend the APCO Communications Training Officer class.
4. **Supply and Headset Coordinator** - Identify supply/headset needs and place orders.
5. **DAVID Point of Contact (POC)** - Refer to GO311.
6. **Medical Marijuana Registry (MU)** – Refer to GO311

302.7 Promotional Process

A. Procedure

1. **Authority and Responsibility** - Administration of the promotion testing process when required will be coordinated with the Palm Bay Human Resources Department. The Communications Manager will be responsible for the oral boards or interviews and monitoring the probationary periods for all positions within the Communications Center.

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2. **Position Requirements of the Telecommunicator Position** - Minimum requirements as outlined in the City of Palm Bay Job Description.
3. **Alternate Shift Supervisor Position:** an appointed position.
 - a. Minimum full time Telecommunicator and not on probation.
 - b. Must have completed all training requirements.
 - c. Must demonstrate good leadership skills.
 - d. Must demonstrate a working knowledge of Standard Operating Procedures and General Orders.
 - e. Must have good Communications skills.
 - f. Above satisfactory on last two performance reports.
 - g. Be recommended by Shift Supervisor.
 - h. Be appointed by the Communications Manager.
4. **Communication Training Officer Position:** an appointed position.
 - a. Minimum full time Telecommunicator and not on probation.
 - b. Must have completed all training requirements.
 - c. Must demonstrate good leadership skills.
 - d. Must demonstrate a working knowledge of Standard Operating Procedures and General Orders.
 - e. Must have good Communications skills.
 - f. Be recommended by Shift Supervisor.
 - g. Be appointed by the Communications Manager.
5. **Communications Shift Supervisor position** - Minimum requirements as outlined in the City of Palm Bay Job Description.
6. **Communications Manager Position** - Minimum requirements as outlined in the City of Palm Bay Job Description.

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7. Upon being promoted to either the Alternative Shift Supervisor position or Communications Shift Supervisor position, the member will be responsible for complete the Communications Supervisor Course within three months of the promotion date.

302.8 Staff Communication/Meetings

A. Meetings

1. The supervisor staff will meet with the Communications Manager on an as needed basis. Other groups may meet on an as needed basis to include, Communications Training Officers, and any committee groups within the Center.
2. Discussion notes may be taken during these meetings and distributed to all attendees and all appropriate Communications staff.

B. Shift Briefings

1. Beginning of Briefing

- a. The on-coming supervisor will meet with the on-duty supervisor for any calls for service that may be significant, pass along entries, recent FCIC/NCIC entries that may be significant, DMS, e-mails, Patrol Log and other information for briefing.
- b. Review information from the crime meeting: K-drive, weekly intel meetings, month folder, notes.
2. Telecommunicators must be clocked in by the half hour (0730, 1530, and 2330) and briefing begins when the on-coming supervisor has been briefed (usually takes 5-10 minutes).
3. The supervisor acknowledges those present and shift positions are assigned taking in account that everyone is responsible for rotating through all positions.
4. The supervisor covers new business, emails, significant calls for service, bulleting, Patrol Log, etc.
5. The supervisor highlights any new DMS documents, reminding everyone to log in and read newly posted documents.

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6. The supervisor may debrief a call from a previous shift getting shift members involved in the discussion, not to point fingers, but provide constructive feedback, to foster teamwork.
7. Training topics may be assigned to shift members to present at briefing. Quick 5 to 10 minute overviews of policies, questions for various call types, etc.

C. After Briefing

1. Telecommunicators are relieved to take care of personal matters.
2. The supervisor will complete the Equipment Checklist.
3. Telecommunicators will relieve their assigned position.

D. Relieving Positions - Telecommunicators must be responsible for assuming the on-coming shift is briefed and knowledgeable of issues that will carryover. Telecommunicators will clean their work area and return resources to the proper place. Teletype printouts will be disposed of properly.

E. End of Shift - The supervisor will gather everyone to debrief the shifts activities when relieved by the oncoming shift if time permits. This will allow time to discuss specific calls for service, any related activities throughout the shift and any problems that may have occurred during the shifts.

F. Shift Overlap

1. The 30 minute overlap may be used by the supervisor's to meet with their members to discuss evaluations, investigate complaints, performance review, CTO's to review DORs with their Trainee, etc. It is each supervisor's responsibility to discuss their needs with their counterparts.
2. When the supervisor is not available to conduct the briefing, the responsibility will be passed onto the alternate supervisor or designee.

302.9 Department Equipment

A. Members will be issued agency owned equipment for official use in discharging their duties. This equipment may include headsets, cellular phones, lap top computers, and other items. This equipment will be surrendered at the direction of the Communications Manager upon request, or upon departure/termination of the employee.

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- B.** The Shift Supervisors will ensure that all stored equipment is in a constant state of readiness. Equipment will be cleaned, checked for operational readiness, and recharged daily. This will include, but is not limited to: communication equipment, flashlights, and other similar items.
- C.** In order to provide equipment that is standardized and OSHA approved, Communications members will use only equipment authorized by the Communications Management Staff. This includes, but is not limited to: headsets, computer controls, seating, and other devices that affect member safety or ergonomics.

302.10 Reporting Incidents - Occurred in the Communications Center

- A. Procedure** - When an incident occurs in the Palm Bay Communications Center or between other Communications Centers and another agency that necessitates notification of other parties, the Communications Manager will be notified in writing.
- B. Incidents requiring reports** - The Shift Supervisor and/or duty supervisor will provide a written report following incidents:
 - 1. On-duty injury of Communications member.
 - 2. Lost or stolen agency-issued property.
 - 3. Conflict of policy or other issues that affect the operation or relationship with members of other agency Communications Centers.
- C. Information Required** - On-duty injuries require additional reports be forwarded to Human Resources. All on-duty injuries require immediate notification of the on-call HR Risk Manager by the on-duty supervisor. Refer to City Rules and Regulations.

302.11 Reporting Personnel Complaints Procedure

- A.** All member complaints received will be referred to a Shift Supervisor, Alternate Supervisor, designee and the Communications Manager. All complaints will be documented on the proper form and processed thru the Human Resources Department. If the complaint involves a Trainee, the Communications Manager will notify the CTEP Coordinator.
- B.** After review by the Human Resources Department, the results of all completed investigations will be documented and forwarded to the Shift Supervisor and Communications Manager for review. The review will address and document policy, training and discipline issues. Specific recommendations regarding

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these issues will be made in writing to the Communications Manager, the USD Commander and Police Chief, as appropriate.

302.12 Data Collection & Dissemination

- A. Procedure** - A function of the Communications Center is to collect and disseminate data acquired during daily operations.
- B. Data Available “Upon Request”** - CAD data, including event chronologies, event summaries, and unit histories will be available upon request. Requests will be made to the on-duty Shift Supervisor or designee who will compile and provide the requested data.

302.13 Telecommunicator Conduct

- A. Professional Conduct** - All Communications personnel will adhere to applicable rules of conduct as provided in Professional Conduct [GO 401](#).
- B. Responsibilities of the Communications Operator**
 - 1. The first priority is officer safety and the safety of our citizens.
 - 2. **Receiving and interrogation of calls** - When a call is received, the first concern is that the caller receives appropriate service. Each situation must be analyzed and evaluated individually, always keeping in mind the importance of this information, treating each caller impartially and equally.
 - 3. **Dispatching calls** - The dispatcher is responsible for determining the appropriate action to be taken, what special requirements are demanded, and who to contact concerning the callers’ problem. Should a sworn supervisor, Shift Supervisor, or designee modify the dispatcher’s instruction, that information will be documented in the CFS.
 - 4. **Personal responsibilities** - A Telecommunicator has a very important professional responsibility and obligation. The following require strict adherence:
 - a. If on-duty and a personal crisis arises which renders you unable to perform your appointed duties, immediately notify the Shift Supervisor or designee of the situation.
 - b. When conditions prevent you from arriving on time for your scheduled shift, you will notify the on duty Shift Supervisor or designee.

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C. Communications Center Rules of Conduct

1. The nature of Public Safety Communications requires that the public and field members respect and trust Telecommunicators. Every Telecommunicator must familiarize themselves with and follow all rules, regulations, policies, and directives. Telecommunicators must conduct themselves in a professional manner.
2. All Telecommunicators are required to learn and perform all functions listed under their specific job description. Rotating assignments (call taker, dispatcher, teletype operator) are required to maintain proficiency in all areas. Shift Supervisors will ensure members work at all assigned positions on a regular basis.
3. All members will make every reasonable effort to assist callers and first responders in any way possible.
4. The attitude conveyed to anyone who contacts the Communications Center will be that they are speaking with a customer friendly, courteous professional who stands ready to be of service. Keep in mind that it is not only what is said, but also how it is said that conveys the attitude.
8. Work schedules will be posted in accordance with CBA and City/Police Department policy. All members will be required to keep track of their specific assignments.
9. All members will report for briefing at the scheduled time prior to the start of their assigned shift. Members arriving after the scheduled/posted time will be considered late. Members working overtime will report their times worked to their assigned on-duty Shift Supervisor.
10. Sick days will be called in, no more than 8 hours prior to start of shift and no less than 1 hour prior to start of shift, unless "Sick Leave" has been previously scheduled; approved medical leave. Last-minute family emergencies may be cause for exceptions. Members calling in sick must speak to the on duty supervisor in the Communications Center.
11. The on-duty Shift Supervisor may approve overtime to meet minimum manning requirements at the discretion of the Communications Manager.
12. When being relieved from the console/workstation, the person leaving is responsible for advising his/her relief of any special orders, activities, or incidents that they may be required to handle. Personnel will not leave their work area prior to being relieved. The on-coming personnel must accept the position and assume the responsibility of the position.

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13. Members relieved of duty will immediately leave the Communications Center. Every attempt shall be made to keep noise/voice levels down during shift change.
 14. Members must refrain from cursing, loud talking, yelling, loud laughing and playing loud music or videos. Horseplay will not be tolerated.
 15. The Communications Center will be kept neat and orderly at all times.
 16. All calls will be processed in a courteous manner. No improper or disrespectful comments will be used with the caller or employees. Do not display irritation, sarcasm, anger, or other improper emotion.
 17. Sleeping on duty is not permitted.
 18. All matters related to the Communications Center and activities in and by the Communications Center will be considered confidential and must not be discussed with unauthorized personnel.
 19. Propping feet or laying on desks and consoles is not permitted.
 20. Members will protect against accidental spills that could damage essential, expensive equipment when liquids are consumed in the Communications Center. Only spill proof cups with secure lids are permitted within the Communications Center.
 21. Personal communications must not interfere with the operations of the Communications Center and must be silenced within the Communications Center. Outgoing calls/texting on personal cellular phones may be made in the Shift Supervisors offices, break room, or outside of the Communications Center. Emergency exceptions must be approved by the Shift Supervisor. The Shift Supervisor has the authority to direct any member to turn off any personal electronic device if it interferes with the daily operation of the Communications Center. **Accessing social media from any electronic device while on-duty is prohibited unless it is for official work purposes.**
- D. Communications Center members will conduct themselves in a professional, businesslike manner at all times. The position of Communications operator is a true profession and as such requires display of courteous behavior in dealing with all citizens, field personnel, superiors, and co-workers at all times.

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- E. Failure to fulfill the responsibilities of the Communications Operator, or comply with the Department and Communications Center rules of conduct will be subject to corrective/disciplinary action.

302.14 Communications Center Safety and Functionality Rules

A. Compliance to Safety Rules

1. All malfunctioning equipment or mechanical defects will be reported to the Shift Supervisor or designee who will report the problem and ensure the equipment is repaired. A Vendor Request CFS will be created for documentation.
2. Only the appropriate vendor equipment technicians will repair malfunctioning equipment unless otherwise instructed by the vendor/technician and/or Communications Manager.
3. The floor will be kept clear of anything that might cause a fall or injury.
4. Do not attempt to continue to use any chair that appears to have loose or broken components.
5. Never use a chair in place of a ladder.
6. Sit in the chair properly. Avoid "free falling" into the chair when sitting down and do not lean too far backwards. Do not put feet on the console/workstation.
7. Avoid tipping the chair while moving about the console/workstation area.
8. Never spray any chemicals, deodorants, hairsprays, perfumes or similar substances in the Communications Center.
9. Know the location of First Aid Kits and AED.
10. Report all injuries/exposures immediately to the Shift Supervisor or designee regardless of how minor they may appear.
11. Notify the Shift Supervisor or designee immediately upon detection of any fire or smoke condition discovered in the Communications Center or the Police Building.
12. Remain familiar with the "Communications Center Evacuation procedures" and be prepared to follow them at all times

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13. Know the location and operation of all fire extinguishers.

14. Floor or space heaters are prohibited within the Communications Center due to the overloading of circuits which creates problems with the equipment.

15. No flame producing device or flammable liquids are allowed in the Communications Center.

B. Housekeeping Rules

1. Consoles/workstations, desktops, floor and other surface areas will be kept as uncluttered as possible. Each shift will be responsible for cleaning their workspace prior to the next shift coming on duty.
2. Any spills into the electronics of the console/workstation or other equipment must be reported to the Shift Supervisor or designee immediately and if appropriate, to the vendor.
3. Authorized reading material, which includes newspapers and inoffensive periodicals, will be kept unobtrusive and in neat order, not scattered about the room.
4. It is recommended that television be permitted in the Communications Center. During regular business hours, television programs should be limited to news, weather, and/or training programs. At all times, television programs will be acceptable for public viewing (no nudity or highly suggestive programs) and not be offensive to any member. The on-duty supervisor must be responsible for appropriate TV program viewing.
5. Room overhead lights indirect lighting and/or desk lamps will be turned on/off as directed by the Shift Supervisor or designee.
6. The kitchen is shared by all members. Each shift is responsible for the cleanliness of the kitchen area. Food and dishes should not be left in the refrigerator or kitchen area for any length of time. Properly label food and containers left in the refrigerator with your name. The refrigerators are cleaned out on a regular basis by the assigned shift. Food and containers not marked or left for an extend period of time will be discarded.

302.15 Restricted Access to Communications Center

A. Primary Center Procedure

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1. The Communications Center is located in the Palm Bay Police Department Headquarters building, 130 Malabar Road SE, Palm Bay. All entrances into the Communications Center will be secured by a locked door. Access will be restricted to assigned personnel and others specifically authorized by Communications Section supervisory personnel. It will be the on-duty supervisor's responsibility to ensure the following:
 - a. All Communications Center entrances/exits are properly secured at all times.
 - b. All visitors present are there for a legitimate purpose (e.g. law enforcement/fire/rescue business, authorized center tour, maintenance, etc.).
 - c. All visitors will behave in a professional manner and will not interfere with the center's operation.
2. All Communications Center members will have their ID card and 9-1-1 certification card with them at all times.
 - a. Members arriving at work without their ID card will report to the Shift Supervisor or designee, who will document the occurrence.
 - b. Other agency members may be permitted access with proper prior notification and identification.
 - c. Vendor access will be restricted to official business. (This procedure may be changed without prior notice due an increase in threat level. Employees will immediately be advised of changes).
 - d. Tour groups may be restricted to view the Center from the windows.

B. Secured doors - Doors will be secured in the following manner:

1. The entrance to the Communications Center will be secured with an electronic system.
2. The following entrances will be secured with an electronic system with restricted access to only Communications Center and other authorized personnel.
 - a. East entrance (north of the sally port)
 - b. Second floor entrance to Communications Center

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3. All individual office doors will be closed and secured at the end of shift.

C. Security cameras - Inside the Communications Center, members can monitor security cameras located at the following locations:

1. South entrance, main entrance/lobby to the Police building.
2. East first floor stairway to Communications Center.
3. Main entrance door to the holding cell area.
4. Holding cell and processing area.
5. Sally port.
6. Rear parking lot entrance gate.

D. Other Precautions

1. When entering the building after hours, Communications Center members should be aware of their surroundings. Any unknown persons without an access card are not allowed in the building. Communications Center employees will be familiar with Facilities Security and Maintenance [GO 706](#).
2. Communications Center employees taking breaks outside the building after hours may carry a portable radio when manning is at minimum.

302.16 Protection of Communications Personnel/Facilities/Equipment

A. Contingency Resources

1. The Communications Center provides Communications service for law enforcement/fire/rescue agencies. In the event of an emergency affecting the Communications Center, it is essential that the Communications Center maintains a contingency for relocation and back-up systems plans which will enable our vital Communications service to the public and first responders to continue uninterrupted. Such emergencies can include smoke/fire in the Palm Bay Police Building, bomb threats, power failures, etc.
2. In the event of a power failure, alternate power sources are provided by an onsite fuel powered generator to sustain the various electronic equipment used in the Communications Center's operation (e.g. CAD, PC's, telephone system, radio system, etc.).

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- B. Evacuation of the Communications Center** - In the event of smoke/fire, bomb threat, or any other emergency threatening personnel located in the Communications Center, the Shift Supervisor or designee on-duty will initiate the "Communications Center's Evacuation Procedure for 130 Malabar Road SE, Palm Bay". As described in this manual, members will relocate to a designated backup center as outlined in the contingency plan. This procedure is designed to ensure the safety of on-duty personnel and our best efforts to maintain uninterrupted communications service.

- C. Facility/Equipment Protection** - The Palm Bay Police Building located at 130 Malabar Road SE, Palm Bay, was initially constructed for the City Of Palm Bay to serve as the Police Headquarters. All dedicated electrical circuitry and telephone wiring supporting the Communications Center is isolated and lightning protection devices are installed. This building maintains a diesel fuel generator, an uninterrupted power system (UPS) and a "Halo Grounding System". During a critical incident, power can be sustained in the Communications Center for five days without refueling of the generators.

- D. Antenna Protection** - The Communications Center provides Communications service for the City of Palm Bay First Responders and support personnel. All radio and mobile data terminal (MDB) voter/receiver/transmitters are housed in locked secure room. Their primary antennas are securely affixed to tower located south of the police buildings, radio towers, or other permanent structures supporting the 800 MHz radio system, are the responsibility of Brevard County.

302.17 Emergency Power Generator

- A. Back-up Power** - In the event of a power failure, it is essential that the Communications Center maintains backup systems which will enable our vital Communications service to the public and field units to continue uninterrupted. Fuel powered generators will provide an alternate power source for the various electronic equipment used in the Communications Center's operation (e.g. CAD system, PC's, telephone system, radio system, etc.).

- B. Back-Up Center Equipment** - The Brevard County Sheriff's Office is the designated back up support agency should the Palm Bay Communications Center experience a failure. Melbourne Police Department provides the Palm Bay Communications Center support in relocation of dispatch services upon request. Both the Brevard County Sheriff's Office and Melbourne Police Department maintain a fuel generator that serves as an alternate power source.

- C. Maintenance procedure** - While the City of Palm Bay maintains the generators relied on by the Communications Center as alternate power sources; it will be the responsibility of the Agency Facility Coordinator to conduct the generator

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testing. The Agency Facility Coordinator is responsible for monitoring and ensuring that the generator is tested and operational on a monthly basis. The Agency Facility Coordinator will maintain the log regarding each generator tested.

302.18 Recording of Radio and Phone Lines

A. Purpose - The recording of all radio transmissions, non-emergency and emergency telephone conversations are a vital resource for criminal investigations, criminal prosecution, internal investigations, training, and audits of service delivered by the Communications Center.

B. Procedure

1. All 911 emergency and administrative non-emergency phone lines coming into the Communications Center are recorded.
 - a. Per FSS 934.03, incoming calls on 911 and published non-emergency phone lines answered by a trained Telecommunicator, and outgoing calls to the telephone number from which a call for service was made in order to gather additional information required to provide the services being requested may be recorded.
 - b. When making an outgoing call on a non-emergency telephone line to a third party or a party not associated with the original call for service, the Telecommunicator is required to announce "this line is recorded."
2. Dialogue transmitted via main radio frequencies used to provide communications service for law enforcement/fire/rescue agencies served by the Communications Center will be recorded. All telephone lines in the Communications Center that are used to process emergency calls and other calls for service will also be recorded. All recording media will be labeled and stored within a secure designated area in the Communications Center. No unauthorized persons will have access to the recorded media.
3. Each dispatch position in the Communications Center is equipped with access to immediate playback. This system is linked to the radio console and provides dispatchers immediate access for playing back the most recent radio transmission. To review transmissions of a time delay, dispatchers have access to the center's primary multi-channel recorder via the Shift Supervisor.
4. Each phone position in the Communications Center is equipped with an immediate playback within the computerized phone system. This system is linked to all phone lines and provides call takers with immediate access for

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playing back the most recent calls. To review calls of a time delay, call takers have access to the center's primary multi-channel recorder via the Shift Supervisor.

- C. Retention** - Per State of Florida guidelines, all recorded media of radio transmissions and telephone conversations will be retained for a minimum of 30 days. The Palm Bay Police retains all recorded media within the Communications Center for 90 days. All recordings are maintained in the computerized recording system. Access is limited to the Communications Manager, Shift Supervisors, and specified administrative personnel only.
- D. Public Records Requests** - The Palm Bay Police Department Communications Center and its Custodian of Records will make available to any requesting person or party, any qualifying record designated as being open to public inspection by the Florida Public Records Law.
 - 1. The Agency will recover the costs of reproducing these records in accordance with FSS 119, and those charges will represent a fair equitable estimate of cost for providing this service.
 - 2. This includes the actual time to locate, copy, redact and package any audio recording.
 - 3. This rate is based upon the average base hourly rate of pay for the supervisory staff.
- E. Other Records** - All other Communications Center records (e.g. Computer Aided Dispatch system generated records, Mobile Data Terminal system transmissions, NCIC/FCIC queries, 911 system records, etc.) will be retained in accordance with the applicable state retention schedule. All requests for these records will be in accordance with the dissemination criteria.

302.19 Fire Suppression System

- A. Purpose** - This section provides information on the Communications Center fire suppression system and the procedure to be followed by the on-duty Shift Supervisor, or designee, in the event the suppression system is activated.
- B. System Overview** - The fire suppression system in the Communications Center is a Halon non-toxic gas system. The system is activated by smoke sensors located in the ceiling and under the floor. In the event of a discharge, a large amount of this gas is discharged within 10 seconds. The gas is non-toxic and reduces the Oxygen content in the room to a level that is detrimental to humans. The gas operates by inhibiting the chemical reaction that supports fire. An identical system is located inside the equipment room.

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- C. Activation of the System** - If the suppression system is triggered by a fire, immediate evacuation is warranted.
- D. Control Panels** - The Communications Center Halon Control Panels are located on the South and East walls of the Communications Center. This panel is tied in to the building alarm system. Activation of either system will cause the other system to activate as well. The Halon Control Panel is located inside the control room on the West wall behind the radio rack. It operates identically to the Communications Center panel. The panels contain the LCD trouble code displays, the SILENCE and the RESET buttons.

302.20 Back-Up Operational System

- A. Purpose** - This section provides operational procedures to maintain essential Communications in the event of an unexpected interruption and/or loss of Communications function or facility.
- B. Interruption/Loss of Radio Communication** - The 800 MHz radio system is a sophisticated intelligent trunked radio system. The system's operation is dependent on the individual sites, the links between the sites and the central electronics controllers. When a problem occurs with these components, the system makes adjustments to provide continuous Communications. Some of the adjustments are automatic, but others require intervention on the part of the field user.
 - 1. Site Trunking (Failsoft)** - Site Trunking or "FailSoft" occurs when the telephone links between the Communications Center and/or the different antenna sites are severed or when a hardware problem at the sites prevents them from operating as a countywide network. In effect, the affected antenna site is isolated and acts as an independent repeater site without the ability to communicate to other sites or to the Communications Center through the normal radio control console. Site Trunking/Failsoft can occur at single or multiple sites.
 - 2. Detection** - In the event of a primary radio failure, immediately switch to the backup radio and contact the on call radio repair technician. Immediately notify the on-duty responders and appropriate staff members.
- C. Action to be Taken** - In order for units operating on a Dispatch Talk Group to remain in contact with other units and the Communications Center on that Talk Group, the Dispatcher must use the pre-designated talk groups for each assigned position. Dispatchers can use the attached handset.
- D. Alternative Talk Groups** - Refer to [GO 218](#)

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- E. Secondary Notification** - Notify all Police Department members with information on radio system problems and alternative talk groups. Also, Hot Line each Fire Station and when activated call the City of Palm Bay Emergency Operating Center.
- F. Interruption/Loss of Telephone Service** - In the event of the Administrative telephone lines or 911 circuits fail the following actions should be taken immediately:
 - 1. Failure of Administrative telephone lines** - Notify City IT for rerouting of phone lines and other assistance as may be required.
 - 2. Emergency 911-circuit failure (AT&T)** - When all 911 circuits experience a failure and are totally inoperable, notify AT&T. If the failure requires rerouting, AT&T will route the 911 calls to the designated backup center. Call Takers may be sent to the designated backup center. Notify the Brevard County E-9-1-1 Coordinator of all failures and rerouting of 911 calls.
 - a.** A Vendor Request CFS will be created for documentation.
 - b.** Complete the Brevard County Reroute form and fax to the 911 Administration Offices. The original form will be forwarded to the Communications Manager.
 - 3. Interruption/Loss of Computer Aided Dispatch (CAD) System**
 - a.** A manual card system will be utilized by all Communications Center employees any time that the CAD system is deemed inoperable.
 - b.** The cards will be completed with the same information that the CAD complaint/dispatch screen requires.
 - c.** Each employee is instructed on the card use, and the information requirements, during on-the-job training.
 - d.** Cards are located within the Communications Center. White cards will be used for processing police calls. Green cards will be used to maintain officer status. Pink cards will be used for FIREX and MEDX calls.

302.21 Communications Center Computer Systems

- A.** The Communications Center uses a Public Safety E-911 automated system for the phone system that is maintained by the Brevard County E9-1-1 Administration Office. The Computer Aided Dispatch (CAD) system for all call

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taking and dispatch processing is maintained by the Palm Bay Police Department.

- B. The Communications Center uses personal computers (PC) for e-mail and Internet access. This system is maintained by the City IT.
- C. The Communications Center Radio System is an 800 MHZ Trunking System. The radio system is computer controlled with four tower sites. The south County tower is located at the Palm Bay Police Department. Access is controlled by electronic security locks.
- D. The 405 MHz radio (backbone) system, owned by the Palm Bay Police Department provides CAD access to all mobile data terminal users.
- E. **Rules and Regulations** - All Communications members will be familiar with the rules and regulations on City computers and software as provided in Department [GO 309](#) (Department Computer Operations).

F. Security

- 1. Security is implemented on each workstation to prevent users from installing software or changing/deleting critical files. When the users sign on/off to the CAD application (this includes the MDB's), their user ID, application, date and time is logged into the database for review at any time.
- 2. A special firewall exists to prevent from having email and/or Internet access via the CAD, telephone, or radio systems. All other support computers are blocked via the City's firewall from accessing inappropriate Internet sites. City policy prohibits inappropriate usage of the city's email and/or Internet system.
- 3. The telephone computer system utilizes a proprietary Communications protocol. Access is only available through the Brevard County E911 coordinators office. User ID's are required and user restrictions allow for limited access to the system.
- 4. The 800 Mhz radio system is login and password protected. The Brevard County Administrator or Communications International, Inc. can only make at changes to the system.

- G. **CAD Case-Numbering System** - Each CFS event in CAD is given a unique number that comprises of: 01, (ex. 15 for 2015) two digits which represent the year, the Julian date, and a 4 digit sequential ending number. Department report (DR) numbers for both police calls and fire/rescue calls allow only one

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DR number assigned to an event. The DR number is a number that has the current (ex. 15 for 2015) two-digit year, and a sequential 6-digit number. This number is reset to 000001 automatically by the system at the beginning of the year. The system automatically increases the number by 1 each time a case number is assigned. DR numbers may be manually reset by authorized personnel with access.

H. Information Generated by CAD - The CAD system is designed to automatically generate and record various data for each call for service or initiated activity when CAD is accessed. The following data is automatically generated and recorded (see CAD manual for additional information):

1. CFS Number.
2. Dates and Time of Request.
3. Identification of units assigned.
4. Time of dispatch.
5. Time enroute.
6. Time of arrival.
7. Time of returning to service.
8. Disposition of reported incident.

I. Back-Up System

1. The CAD backup system is maintained by City IT.
2. The data for the 800 Mhz radio system is backed up by the Brevard County Systems Manager.

302. 22 Reporting Equipment Failures

A. Scope - The following procedure will be followed to obtain repair or replacement service for Communications Center equipment including CAD, telephones and recording equipment. Radio equipment is specifically excluded from this procedure.

B. Procedure

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1. **Urgent Problems** - If rapid service is required due to an immediate adverse effect on the ability of the Communications Center to function properly, the on-duty Communications Supervisor will contact the on-call Vendor/Equipment Technician. Vendor technician(s) are available 24 hours a day, seven days a week.
 2. Immediately after contacting the Vendor Technician, the Shift Supervisor or designee will document the trouble, time of call in, trouble ticket number, etc. in the pass-on book. A Vendor Request CFS will be created for documentation.
- C. Routine Problems** - If service can be delayed until the next normal business day, the on-duty Communications Supervisor will document the information for the on-coming Communications Supervisor for follow up.

302.23 24-Hour Emergency Telephone Numbers

- A. Scope of Service** - Provides toll-free 24-hour telephone access to the citizens of Palm Bay for voice and TDD, emergency and non-emergency calls, to the Public Safety Communications Center. The Communications Center provides Communications service for the Palm Bay Police Department, City of Palm Bay Emergency Service and Communications service for various other law enforcement/fire/rescue agencies.
- B. Emergency Access** - In the event of an emergency, the public can contact the Public Safety Answering Point (PSAP) by dialing "911". This toll free number is answered 24 hours a day, seven days a week. The PSAP will coordinate the proper response for emergency service calls requiring law enforcement /fire/rescue field unit responses.
- C. Non-emergency Access** - Non-emergency telephone numbers into the Communications Center are also answered 24-hours a day, seven days a week. The Non-emergency number for the Communications Center is 321-952-3456. The Communications Center will coordinate the proper response to all calls received on non-emergency/administrative lines. Alarm monitoring companies contact the agency using 321-952-3539.
- D. Access to telephone numbers** - The Communications Center will have access to all Palm Bay Police Department administrative telephone number(s) that are assigned by the City Technology Division, as well as other public telephone directories.
- E. Differentiating between 911 and Administrative Calls** - The Communications Center computerized telephone system differentiates

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incoming 911 calls from administrative calls. Communications Center operators are immediately notified of the type of call being received. Communications Center operators place all out-going calls on administrative lines.

302.24 Processing Calls for Service

A. Answering Protocol - It is the responsibility of the on-duty Telecommunicators to answer all incoming calls. Telecommunicators should pay close attention to background noise, tone, and word choice of the caller as additional evidence to assist in the determination of the status of the CFS. The time of day and location of the caller may be additional clues to indicate whether a response is necessary. In any situation where the Telecommunicator believes an emergency situation exists, an appropriate response will be initiated.

1. Standard for Answering 911 Calls - Ninety percent of all 911 calls arriving at the Public Safety Answering Point (PSAP) must be answered within ten seconds during the busy hour of each day.

2. 9-1-1 Information - [Florida State Statute 365.171](#) (12)(a), Confidentiality of Records, states that any record which reveals the name, address and telephone number or personal information or information which will identify any person requesting emergency services or reporting an emergency by the 9-1-1 system is confidential and exempt from disclosure to the public. All other information is considered public record.

3. Priority - All calls will be answered in order of priority. It is the responsibility of on duty telecommunicators to answer all incoming calls in order of priority.

a. First priority will be given to the 911 lines, the Alternate Emergency Access Number and other emergency 7/10 digit phone lines;

b. Second priority is administrative, non-emergency lines;

c. And the third priority is the internal phone lines.

4. Uniform Answering Statement - All Brevard County Primary PSAPs will answer their 911 lines using a common statement to relieve any apprehension that the caller has reached the proper agency. The common statement must be, "911, what is the address of your emergency?".

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Telecommunicators must determine the nature of the emergency being reported as quickly as possible.

5. **Administrative Calls** - Administrative phone calls received on recorded lines must be answered as "Palm Bay Police Department. How may I help you?".
- B. Call Transfer** - If any emergency calls are to be transferred to another primary PSAP, the Telecommunicator will transfer the call in a timely manner, advising the caller: "Please do not hang up; I am connecting you with (name of the agency).". The Telecommunicator will stay on the line until after the connection has been completed, the answering PSAP has been advised of the call transfer from Palm Bay Police Department and the pertinent information has been relayed. Do not provide the caller with the telephone number of the proper PSAP and advise them to call there instead.
1. If the caller is reporting an in-progress incident and the event is crossing jurisdictional boundaries (impaired/reckless/aggressive driver, kidnapping, carjacking, etc.) the receiving Telecommunicator should not transfer the caller a second time. The Add-On feature should be used to conference the appropriate PSAP. The Telecommunicator shall stay on the line to ensure service continuity.
 2. After transferring a call to Brevard County Fire Rescue (BCFR), the PSAP receiving the initial call need not identify the call as a transfer, but shall remain on the line until BCFR answers and it is determined the police is or is not needed.
 3. BCFR and the PSAP receiving the initial call shall notify the primary PSAP for the jurisdiction of the incident.
- C. Call Referral** - Non-emergency and administrative calls received by a 911 PSAP may be handled by the call referral method.
1. If a call is of a non-emergency nature and it is received on an emergency telephone line, the Telecommunicator will advise the caller that they have called on an emergency line and direct the caller to a non-emergency line. The Telecommunicator may provide the 7/10 digit number or transfer the caller to the appropriate line.
 2. Call referral must never be used for an emergency call. Administrative calls or non-emergency calls may be handled by the call referral method.
- D. Redundant Calls** - Redundant calls occur when several calls have been received on the same incident. The Telecommunicator will make sure the caller

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is reporting the same incident and not an unrelated incident. Once the Telecommunicator confirms the caller is reporting an incident that has already been received and any additional pertinent information is obtained, the caller will be advised that the call information has already been reported.

E. Incomplete or No Automatic Location Identifier (ALI)/Automatic Number Identifier (ANI)

1. **ALI Failure** - In the event of a failure to provide a caller location, an attempt to determine the address from which the call originated will be made through available resources or by contact the service provider.
2. **ANI Failure** - In the event a 9-1-1 call received without an ANI display, the call will be treated as if received on a 7/10 digit emergency line. The Telecommunicator will obtain the basic information from the caller. At a minimum, this information should include: the location of the incident, call back number, type of emergency. Additional information includes time frame, hazards, identity of those involved and their location.
3. **Incorrect or No ALI/ANI information** - If the ANI or ALI information provided is not accurate, based on information provided by the caller, the Telecommunicator will complete the 9-1-1 Inquiry form and forward to the Brevard County 9-1-1 Administration Office. The 9-1-1 Inquiry form is located on K drive in the Dispatch Folder.

F. Abandoned calls/disconnects - The Telecommunicator will attempt to call back when a 9-1-1 call is routed to the PSAP and the call disconnects before personnel can determine if assistance is needed. Telecommunicators will call the number back once to make this determination. If the phone is busy or there is no answer, additional attempts to contact the caller will not be made by the Telecommunicator, unless otherwise directed by a supervisor. If the call back attempt goes to voice mail, no message will be left. This is for the safety of the caller, if the perpetrator hears the message. Extraordinary attempts to locate a Phase I or Phase II wireless 911 disconnected caller will only be made in the instance where an emergency is clearly indicated.

G. Silent Calls - In compliance with Americans with Disabilities Act, all silent calls will be challenged with a TTY/TDD to determine if the caller is attempting to report an emergency using a special communications device for hearing impaired individuals.

H. 911 Misdial - A call is classified as a 911 misdial when the caller stays on the line and admits to the misdial.

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- I. Unintentional 9-1-1 Call** - A call is classified as unintentional when the 9-1-1 personnel can hear conversation, radio, etc. in the background and have listened sufficiently and checked with a TTY/TDD to determine that there is no indication of an emergency situation.
- J Prank Calls** - The Telecommunicator will call back a suspected prank caller. The called party will be questioned to determine if further action is needed or a response is required.
- K. False Reports** - FSS 365. 172 (14) Misuse of 911 or E911 System provides: "Any person who accesses the number "9-1-1" for the purpose of making a false alarm or complaint or reporting false information which could result in the emergency response of any public safety agency; any person who knowingly uses or attempts to use such service for a purpose other than obtaining public safety assistance; or any person who knowingly uses or attempts to use such service in an effort to avoid any charge for service is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083."

302.25 Misdirected Calls for Service

A. Overview - The Public Safety Communications Center promptly handles and forwards misdirected 911/emergency and non-emergency calls for service. The Communications Center provides Communications service for law enforcement/fire/rescue agencies operating in the City of Palm Bay. Occasionally, the Communications Center will receive 911/emergency and non-emergency calls for service requiring the response of an agency not directly served by the Communications Center. In those instances, it is vital that the Communications Center takes the appropriate action that will identify and alert the proper law enforcement/fire/rescue agency to respond to such calls for service.

B. Definitions

- 1. Emergency calls for service** - Any call involving a sick or injured person, an incident where there is a possibility of death or injury, a crime in progress, vehicle crash, fire, the commission of a serious crime (e.g. murder, robbery, sexual assault, burglary, etc.) or any other incident, which requires an immediate response by field units. All 911 calls will be considered an emergency.
- 2. Non-emergency calls for service** - Any routine, non-urgent call for service when there is no threat to safety of persons or property, and there is no need for the prompt arrival by a law enforcement/fire/rescue field unit.

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3. Through the various means used to educate the citizens are informed to call 911 to report emergencies. Citizens are likewise asked to call the administrative telephone lines of law enforcement/fire/rescue agencies when reporting non-emergency calls for service or to make service inquiries.

C. Types of misdirected calls - Most misdirected 911/emergency and non-emergency calls for service occur for the following reasons:

1. PSAP data error entered into the 911 system. This may apply to citizens residing in the area of county jurisdictional boundaries. The City of Palm Bay Communications Center occasionally receives 911 calls from citizens who reside in adjoining areas. When such incidents are received involving citizens of the City of Palm Bay, the data error is corrected by the Brevard County E911 Administration. It will be the responsibility of each call taker to forward a completed 911-inquiry form to the Brevard County E-911 Administrator.
2. Citizens calling a law enforcement/fire/rescue agency which does not have jurisdiction. Some citizens are not aware if they reside within the City of Palm Bay or the unincorporated area of Brevard County.
3. Roll over calls from surrounding PSAP centers when the 911 system at that location is overloaded with calls.

F. Procedure - Misdirected calls received by the Communications Center will be processed in the following manner:

1. Palm Bay Police/Fire/Rescue agencies:

- a. **911/emergency calls for service** - 911 calls requiring a response by agencies located within Brevard County, but not served by the Communications Center will be forwarded to the appropriate agency's Communications center. When receiving such calls, the Telecommunicator will transfer the caller via the 911 telephone system. These procedures include obtaining the incident location, jurisdiction, and nature of the call. If the caller is "lost" as a result of equipment failure or other emergency (e.g. illness, injury, fire, etc.), the Telecommunicator will call the proper Communications Center and provide the pertinent information necessary for their field units to be dispatched if the call is dropped or lost and transfer is not completed. If a misdirected emergency call for service is received via the Communications Center administrative telephone lines, the same procedure (as listed above) for misdirected 911/emergency calls will be followed.

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b. Non-emergency calls for service - When receiving a misdirected non-emergency call for service on an administrative telephone line, the Telecommunicator will inform the caller the name and telephone number of the agency that has the proper jurisdiction.

E. Information Gathering - When calls are received reporting incidents that occurred in the City of Palm Bay service area, or units served by the Communications Center self-initiate activities, the Communications Center must record these incidents via a CAD call for service screen. Such incidents may include citizen complaints, incidents resulting in emergency personnel being dispatched, criminal and non-criminal incidents involving arrests. If two or more persons report the same incident additional information from subsequent callers may be added to the original CAD screen. The Communications Center must process all incidents in which a citizen requests a unit response.

1. The Telecommunicator will obtain the basic information from the caller. At a minimum, this information should include: the location of the incident, call back number, type of emergency, and the caller's name and address if they are willing to give it.
2. Additional information includes time frame, hazards, identity of those involved and their location.

F. Addressing Verification - The Telecommunicator is responsible for gathering complete address verification on all calls for service.

1. All requests for service received by a Telecommunicator with the Palm Bay Police Department will require that the most exact street address or location possible be obtained in the shortest amount of time possible.
2. The Telecommunicator will ask for and verify the address/location of the call and the incident location on every single call without exception.
3. The Telecommunicator will utilize the ANI/ALI transfer CAD feature on all cases where a verifiable address is displayed on the ANI/ALI screen.
4. The Telecommunicator is cautioned that the 911 ANI/ALI display is not error free.
5. The Telecommunicator will use good judgment in the address verification process. This involves paying attention to geographic clues and

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suggestions offered by the callers and listening carefully to background noise.

G. Online Reporting System - The Palm Bay Police Department utilizes an online report system that is designed to eliminate the cost of having a uniformed officer respond to document incidents with no suspect information. The system allows the complainant to record their incident within a matter of minutes without waiting on the uniformed officer to respond to a low priority call for service. The information in the online reporting system will transfer to the Records management System for data collection and statistical analysis. The Call Taker must question the complainant to determine if the call meets the online reporting guidelines. The complainant will be offered the online reporting option. If the complainant refuses, an officer will be dispatched in accordance with the set priority of the call for service. Refer to the Tactical Call Guidelines for additional information.

H. Law Enforcement/Fire Rescue/911 Call Guidelines - The "Tactical Call Guidelines" identifies pertinent questions to be asked by a call taker when processing an emergency or non-emergency call for service. The call guideline provides information applicable to the coordination with the responding law enforcement and fire/rescue agencies. The call guideline also defines the information required for the initial processing of calls, which are transferred to an agency not served by the Communications Center. All call taker workstations will be equipped with the "Tactical Call Guidelines". All call takers will use the call guidelines as a reference when processing calls for service. [CFS Call Guide](#)

I. Tactical Dispatch Plans - See Section 302.61, Tactical Call guide - as provided in [GO 302](#), Critical Incidents [GO 215](#), Vehicle Pursuits, [GO 214](#), Emergency Management Plan [GO 218](#).

302.26 Telecommunications Device for the Deaf (TTY) and Telecommunications Relay Services (TRS)

A. Mandates - Sections 427.507 (4) and (5), Florida Statutes and the Federal Code of Regulations, require that all primary Public Safety Answering Points (PSAP) be equipped with TTY equipment, and be capable of responding to hearing and/or speech impaired callers. TTY, as used in this procedure, infers that the caller cannot speak or hear. Voice Carry Over (VCO) infers that the caller can speak, but cannot hear.

B. Service Protocol - The Communications Center recognizes the hearing impaired community's need to readily call and communicate with 911 emergencies. Communications personnel will develop and maintain skills to effectively receive and process calls from people using text telephone devices

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for the deaf (TTY). TTY calls will be handled with the same urgency as voice calls.

- C. In compliance with *American with Disabilities Act*, all silent calls will be challenged with a TTY to determine if the caller is attempting to report an emergency using a special Communications device for speech or hearing impaired individuals.

- D. **Handling a TTY Call** - The 911 system is configured to detect when a caller is using a TTY device. The TTY panel on the 911 system screen is used to communicate with speech or hearing impaired callers. The TTY panel has a list of generic questions and statements that you can use to speed up the communication. Refer to the 911 system user manual.

- E. **Relay Services** - These allow people with communications disabilities to interact with voice phone users through a keyboard or other input method.

1. There are various types of relay services. Telecommunications relay service is a telephone service that allows people with hearing or speech disabilities to place and receive telephone calls. Telecommunications relay service is available in all US states and territories for local and/or long distance calls at no additional costs to the consumer.
2. Video relay service enables people with hearing disabilities who use American Sign Language to communicate with voice telephone users through video equipment, rather than through typed text.
3. IP relay allows people who have difficulty hearing or speaking to communicate through a traditional telephone system. IP relay is accessed using a computer and the internet, rather than a TTY and a telephone line.

F. Call Processing for Relay Services

1. The caller initiates a 9-1-1 call through their VRS or IP Relay service provider.
2. The call is routed by the provider to the appropriate PSAP based on the Registered Location of the caller.
3. When connected, the operator will identify the call as a Relay Call and provide the caller's call back number. The call back number should also be provided in the ALI display, along with the Registered Location and service provider information.

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4. The operator will interpret or transliterate with the deaf or hard of hearing user by video/text and by voice with the Telecommunicator. Traditional call processing techniques should be followed, including the use of standard protocols.
5. The caller may be re-contacted using the call back number. The caller's direct number will connect to them through their VRS/IP Relay service provider.

302.27 Difficult Callers

- A. **Service to All** - In a total commitment to serve the public, the Palm Bay Police Department, and the Public Safety Communications Center will answer all telephone calls promptly and courteously. However, obnoxious and belligerent callers are inevitable. Such calls should be treated as a challenge, attempting to meet the caller's needs and leaving the caller less upset than they were when they first called.
- B. **Procedure** - Regardless of the nature of the call, call takers will work on the theory that, to the caller, their problem is important to them. Callers that seem intoxicated may actually be ill; abusive callers may actually have a legitimate complaint and/or information of value. Call takers should remember that courtesy not only includes what is said, but how it is said. Call takers will maintain a calm, competent, decisive voice that is courteous and not antagonistic. Call takers will attempt to gather all pertinent information from the caller and provide the appropriate assistance or response. Call takers will never respond in an abusive manner.

302.28 Poison Control Calls

- A. **Mandates** - FSS 401.268 establishes pre-hospital emergency dispatch protocol with intervention by the Regional Poison Information Center.
 1. The Poison Control Center can be helpful in the instances of:
 - a. Unknown tablet and capsule identification.
 - b. Product ingredient information, possible health effects and treatment.
 - c. Assisting with calls regarding bite/stings, medications, food poisoning, plants/mushrooms and foreign body ingestion.
 2. The Poison Information Center will assume responsibility and liability for calls that are connected to them in compliance with this procedure.

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- B. Expedite Service** - It is in the public interest to shorten the time for a citizen to request and receive assistance from designated regional poison control centers telephonic management advice for acute poisoning emergencies.

302.29 Automated Phone System

- A.** The main purpose of the automated 911 integrated workstation is to answer and process emergency and administrative calls in a software environment.
- D.** Emergency calls are connected to 911 trunks, wireline and wireless. They are not normal telephone lines; they are specifically assigned to only transmit incoming emergency calls.
- E.** Refer to the 911 System User Manual for instructions on answering emergency and non-emergency administrative calls and making outgoing calls.
- F.** When an officer calls in and requests the call to be recorded, transfer the call to the designated telephone number. Place the line on mute until the call is completed.

302.30 Non-English Speaking Callers

- A. Language Line Established** - To facilitate emergency call taking from individuals whose native language is not English; the County 911 Administrative Office has contracted with a language line service.
- B. Availability** - This service provides interpretation for more than 140 languages by telephone access 24 hours a day, 7 days a week. This service is provided without cost to all public safety agencies within Brevard County providing its use it to facilitate the taking of a 9-1-1 call.
- C. Emergency Procedures** - If a non-English speaking call is received via the 9-1-1 system, it is assumed that the caller is requesting emergency services. After dispatching emergency responders to the location of the incident, follow the language line procedures for emergency 9-1-1 calls. Procedures are located at each workstation and in CAD ROLO under the keyword "language." Transfer the caller to the language line using the 9-1-1 system transfer options.
- D. Non-emergency Procedures** - If an officer in the field requests language line service in a non-emergency situation, follow the procedures for non-emergency calls. Procedures are located at each workstation. Non-emergency use of the language line service may be charged back to the agency at the discretion of the Brevard County 911 Administration Office.

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302.31 Compliance with FCC Rules

A. Mandates - The FCC is a regulatory agency responsible for issuing and insuring those public agencies use radio Frequencies in the proper manner. This applies to the use of radio frequencies by Communications Center personnel, and the use of radio frequencies by all law enforcement/fire/rescue agency field units served by the Communications Center. FCC licenses for the 800 MHz radio are maintained by Brevard County.

B. Accessibility to FCC Rules and Regulations - FCC rules and regulations may be obtained by accessing the FCC website at www.fcc.gov.

C. Radio Transmitting Procedure - All communications Center dispatchers will maintain a professional demeanor when communicating via radio. All radio transmissions by dispatchers and field units will be restricted to the minimum dialogue necessary to dispatch calls for service and communicate other law enforcement and fire/rescue business. It will be the responsibility of all dispatchers to report any unprofessional dialogue uttered via radio by any field unit served by the Communications Center. Such reports will be brought to the attention of the Shift Supervisor or designee on duty. This Shift Supervisor or designee will then notify the appropriate field supervisor or designee of the violation. If the matter is not resolved; the violation will be brought to the attention of the Communications Manager.

D. License Procedure

1. Brevard County will ensure that the 800 MHz radio system is active and up-to-date. Emergency Services also maintains all licenses. The Radio Administrator will maintain the Data system and the radio base stations.
2. Brevard County will maintain a list of all 800 MHz frequencies utilized by the City of Palm Bay.
3. FCC regulations require that the station identification be broadcast at least every half-hour. A software driven program that transmits a carrier wave containing the stations ID (call sign) encoded in International Morse Code every 30 minutes accompanies this. The MDB system is also automated. No operator intervention is required for either system.

E. Data Transmission Procedure

1. In addition to radio communication, the Palm Bay Police Department maintains a Mobile Data Browser (MDB) system. MDBs are used to dispatch calls for service, make field NCIC/FCIC queries, and send administrative messages. MDBs interface with the Communications

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Center's Computer Aided Dispatch (CAD) system. As with dialogue transmitted via radio frequencies, Communications Center personnel and the Palm Bay Police Department's field personnel will be restricted to the minimum data necessary to dispatch calls for service and to conduct other law enforcement business.

2. Special focus is given to MDB/CAD generated administrative messages. As a rule of thumb, "if the information is not appropriate for radio transmission, it is not appropriate to send via the MDB or CAD data system". MDB/CAD administrative messages will be monitored periodically.
- F. User Agreements** - All contracts and agreements related to NCIC, FCIC and other criminal justice information systems are on file in the Accreditation Management Unit

302.32 Dispatching Calls for Service

- A. Mobile Data Browser (MDB)** - Must be used as a primary mode of communication for field units. When functional, all routine, non-emergency calls for service will be transmitted to field units via MDB. MDB's shall be used for NCIC/FCIC field queries and for sending official business related administrative messages.
- B. Computer Aided Dispatch System (CAD)** - Call takers will process all calls for service (9-1-1 emergency or non-emergency calls) using the Computer Aided Dispatch System (CAD). Communications Center call takers will utilize the CAD system to electronically send pertinent information to the radio dispatchers. Based on the information contained on the CAD call for service, the dispatcher will appropriately dispatch the call for service.
 1. **Priority dispatch codes** - Priority codes have been established for identifying dispatch procedures. The CAD assigns call for service response priority 1 through 7. [GO 302](#) CAD recommends the assignment of the number of officers in response to an incident.
 2. **Silent Dispatching for Routine calls during normal working conditions:**
 - a. This represents routine, non-urgent calls for service where there is no threat of safety to persons or property, and there is no need for an emergency response by a law enforcement officer. The dispatcher will electronically dispatch the call for service to the appropriate field unit(s) via MDB and by voice via Radio (Example: 19, Abandoned Vehicle MDB). The dispatcher will acknowledge all officer initiate calls on the MDB.

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- b. The responding units will be updated with the additional information received by the dispatcher regarding the incident. When the call is completed the officer will close the call out on the MDB and add any necessary comments to the call via their MDB. The officer will clear the call over the radio advising they are back in service.
- 3. **Dispatching Emergency calls, during normal working conditions** - All Emergency calls require a ***“warble tone alert”*** prior to the voice transmission of the call. The call should then be voice dispatched simultaneously on channels Patrol 1, Patrol 2, Log and Teletype. This will alert all units in the area of where the incident is occurring, enabling the Communications Center to take advantage of all available field unit resources to respond to the incident. The responding unit(s) will be updated with additional information received by the dispatcher regarding the incident via radio.
- 4. **Call Dispatching**
 - a. **Emergency calls** - If no units are available the call may be dispatched to “any North/South Unit”. If no Patrol Unit responds, notify a Patrol Supervisor and the on duty Communications Supervisor. Document the notification and any comments in the call for service.
 - b. **Non-Emergency calls** - Primary unit not available - Hold for the next available District officer or dispatch the next closest unit.
 - c. Routine calls for service may hold for the primary unit (if not available) for up to 60 minutes. After the 60 minutes has expired and the primary unit is still not available, the dispatcher must notify a Patrol Supervisor and the on duty Communications Supervisor. Document the notification and any comments in the call for service.
 - d. If after 30 minutes the call is still holding, the dispatcher will notify the complainant of the delay in dispatch. Once the call has been placed the dispatcher will make a notation in the call for service; i.e. complainant advised of delay.
 - e. Lobby calls must be handled within 30 minutes. If Desk Booking is unavailable for lobby calls, the dispatcher will dispatch the appropriate officer to respond to the South station or the North station to handle that call. Patrol Supervisors may override dispatch in determining who will respond when necessary. Patrol Supervisors and on duty Communications Supervisor must be notified immediately if no units are

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available to respond to the lobby call or if the lobby call is held for more than 15 minutes.

5. Field units responding to calls will inform the dispatcher of their status (en route, arrived on scene, and assignment completed). This is transmitted via MDB or by radio. Field units will inform the dispatcher of any problems incurred, the need for additional units, the need for BOLO's, or other assistance required.
6. **Emergency Radio Traffic (10-33)** - Can be initiated on any radio channel by a dispatcher, field officer or field supervisor. The purpose of this request is to dedicate a radio channel to a specific incident for the safety of field units on scene. Whether initiated by the dispatcher, or field unit, the dispatcher will announce the emergency traffic command on channels Patrol 1, Patrol 2, Log and Teletype, specifying the affected channel, the unit(s) involved and the unit's location and incident type (e.g. 10-33 on Patrol 1 for 130 Malabar Rd SE for Robbery in progress). If the request is made for Patrol 1 the primary dispatch channel), field units not directly involved with the incident will switch their radio to Patrol 2 until the 10-33 request has been terminated. It will be the field unit or field supervisor's responsibility to cancel the 10-33 request. The dispatcher will communicate this status on Patrol1, Patrol 2, Log and Teletype channels. Affected field units will switch back to their assigned channel.
7. **Encryption** - Certain radios channels have an encryption feature which enables voice transmissions to be more secured. This allows field units to communicate with private radio transmissions.
8. **BOLOs (Be On the Look Out)**
 - a. Intra-agency BOLOs will be given over the radio by the officer.
 - b. Inter-agency BOLO's will be immediately disseminated to the appropriate law enforcement agency via the high-speed statewide NCIC/FCIC computer network. In addition, incoming BOLOs that will affect our agency will be disseminated via the radio at the time of the occurrence or they are forwarded to the appropriate division.
 - c. All BOLOs to accompany entries can be received via radio, fax or in person to the teletype operator.
 - d. BOLOs regarding information that is not a priority may be disseminated via ISIS BOLO.

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C. Numerical Codes and Signals - When communicating via radio, dispatchers and field units shall use numerical "10-codes" and "dispatch signals". Refer to the authorized list of Codes and Signals, section 302.33E.

D. Phonetic Alphabet - The phonetic alphabet will be used by dispatchers and field units when communicating via radio for the spelling of names, vehicle tags, and other words when it is necessary to clearly identify specific letters.

E. General Rules for Radio Communications

1. All radio Communications shall be in compliance with the Federal Communications Commission's (FCC) procedures and requirements.
2. All radio communication shall be courteous and professional.
3. No radio communication shall be expressed in a sarcastic or argumentative manner.
4. All radio communication shall be voiced clearly and with sufficient volume to assure that transmissions can be understood.
5. All radio communication shall be as brief and concise as possible.

F. Radio Communication Procedures

1. All on-duty field units must be accessible at all times via portable radio, vehicle radio, or MDB.
2. All field units must advise their location (address, cross streets, building name) when acknowledging a radio request from the dispatcher or other field units.
3. All field units must use their MDB for NCIC/FCIC - Such requests can be communicated via teletype channel when the field unit is not accessible to a MDB or the MDB system is not operational.
4. All field units shall use their designated radio unit identifier when communicating via radio.
5. All field units and dispatchers shall be cognizant of the fact that the public, press, and criminals monitor law enforcement agency radio frequencies. Information that should remain confidential should not be communicated via radio. Such information includes, but is not limited to:
 - a. Access code numbers.

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- b. Information regarding alarms that could indicate that none exists or it is disabled or malfunctioning.
 - c. Vital information regarding City of Palm Bay personnel or other emergency service personnel (including home phone numbers, addresses, etc.).
 - d. Information pertinent to active criminal investigations criminal histories, protection orders.
- G. Traffic Stops** - Dispatchers shall repeat the unit identifier and the unit location on all traffic stops. Dispatchers will give the officer making the traffic stop the tag information back they call in every traffic stop.
- H. Vehicle Pursuits** - When field units are involved in a vehicle pursuit, field units and dispatchers shall comply with all Communications rules and regulations in [GO 214](#).
- I. Units requesting Back-up and/or Immediate Assistance** - Field units requesting back up (10-94) must be acknowledged immediately and the nearest zone unit must be dispatched to the location. Dispatch will inquire from the requesting unit if (10-33) "emergency traffic" is required. Field units requesting immediate assistance (10-24) "officer needing help" must be acknowledged immediately and a broadcast message will be done on Patrol 1, Patrol 2, Log and Teletype advising that the unit is requesting 10-24 "officer needing help" and the location of the unit. 10-33 will be put on the channel the requesting unit transmitted on. All information will be documented in a call for service.
- J. Specialty Teams** - When it is necessary to activate Specialty Teams, the on-duty Communications Supervisor shall coordinate the notification of personnel and provide support assistance in accordance with PBPD [GO 216](#).
- K. Bomb Threat Calls** - Communications Center personnel shall process all bomb threat calls in accordance with PBPD [GO 512](#). It is important that field units do not communicate via radio (portable or vehicle), MDB and cell phones within 500 yards of the suspected bomb scene. All radio, cell phones and MDB equipment must be turned off prior to arriving at the scene. Dispatchers should be aware of this status and shall refrain from attempting to contact field units on scene.
- L. Disaster Response** - In the event of a major disaster, the on-duty Communications Supervisor shall coordinate the notification of required agencies and provide support assistance in accordance with PBPD [GO 218](#).

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A copy of these tactical dispatch plans (CFS Call Guide) will be maintained at the supervisor position. All personnel assigned in the Communications Center shall be trained in these procedures.

302.33 Dispatch Operations

A. Primary Rules - It is imperative that dispatchers provide accurate information to field units and in turn accurately document the information provided by field units. Proper volume, articulation, and phraseology are vital.

B. Dispatching Skills - Priority calls will always be dispatched first. A dispatcher's primary responsibility is to the public safety field unit. Complete, accurate, and specific information must be relayed. Pre-plan before you speak; speak distinctly, be brief, be concise, and do not talk too fast or too slowly. Do not become excited and do not try to speak when someone else is transmitting. Remember the following:

1. **Diction** - Speak clearly and distinctly at all times. Words or voice inflections which when broadcast reflect or indicate irritation, disgust or sarcasm must not be used. Courtesy can be more aptly expressed by the tone of voice and manner of presentation than by words. Eliminate all unnecessary talking. A dispatcher's voice should give the distinct impression that he or she is alert and ready for any contingency. A dispatcher's reply to a call must be immediate and decisive.
2. **Decisions** - Prioritize your calls for service. Every call for service received must be prioritized and dispatched in accordance with the units available. Factors such as: the threat to life and property, and in-progress situations must be considered when determining priority.

C. Microphone Technique

1. Depress the mike switch/foot pedal and pause momentarily to give the transmitter time to key.
2. Place your mouth about 2 to 6 inches from the microphone.
3. Speak slowly and distinctly.
4. Use an evenly modulated (non-monotone) tone of voice.
5. Avoid any vocal display of emotion, such as nervousness, excitement, and loss of temper, impatience, or irritation.

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6. Emotional changes affect the voice and can result in distorted transmissions, which may be difficult for the field units to understand.
7. Every effort should be made to broadcast every message with the same, even tone.
8. A bank robbery in progress should be dispatched in the same professional manner as an abandoned vehicle.
9. Dispatchers, when communicating with negative moods and emotions, can similarly affect the feeling of field personnel.
10. Keep the volume of your voice the same as your natural voice. The amplifier will take care of providing the additional volume, if needed. Shouting tends to cause distortion and you may find that you will have to give the message more than once before the receiver can understand you.

D. Rules of Broadcasting

1. Courtesy is most essential to the efficient and effective operation of the public safety radio system. Stress radio courtesy by setting the example.
2. Humor and horseplay are not acceptable.
3. The radio is not an appropriate means of communication for personality conflict, arguments or sarcasm.
3. Keep transmission brief and to the point.
4. Profane and obscene language is illegal.
5. Acknowledge all units promptly, clearly and by unit ID number.
6. Transmit only essential messages.
7. Use appropriate unit identifiers.
8. Familiarize yourself with the Agency's radio equipment and the procedures in this manual.

E. Refer to General Order 302, Communications Center Operation, for acceptable radio communications language, ten-codes and signals. Plain talk is used by all personnel to assure uniformity of transmissions during cross agency, cross jurisdictional and cross discipline mutual aid events.

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F. Tracking of Units

1. Communications Center personnel will record and monitor unit/personnel status when unit status information is provided to the Communications Center. Status system activities include:
 - a. Unit on-duty.
 - b. Unit off-duty.
 - c. In service/out of service.
 - d. Meal break.
 - e. At the station.
 - f. Busy.
 - g. Subject to call.
 - h. Enroute.
 - i. Dispatched.
 - j. On Scene.
2. The Communications Center CAD system provides automatic unit alarms as reminders to check on units after they have arrived at the scene. These alarms are programmed for all in-progress calls and automatically alert after 5 minutes. The time of the unit check must be documented in the CAD CFS with the appropriate "time stamp." Additional checks may be required as follows:
 - a. Traffic Stops. Single units will be checked on every 5 minutes after the initial pre-programmed alarm.
 - b. Traffic Stops. Two units on scene will be checked every 15 minutes.
 - c. In-progress or other call types requiring officer safety precautions units will be checked on every 5 minutes after the initial preprogrammed alert, until the unit determines the scene is safe.
 - d. Patrol units on not in progress calls will be checked every 15 minutes

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- e. All units not involved on a CFS will be checked on every 60 minutes during their tour of duty if the dispatcher has not communicated with the officer.
- f. School resource officers and specialized units will check in with the Communications Center as determined by Management Staff responsible for that unit.
- g. VCOPs assigned to work 1800 hrs. to midnight will be assigned to a VCOP CFS for tracking purposes. While assigned to the VCOP CFS, the dispatcher will be alerted hourly for safety checks. These safety checks must be completed hourly.

G. Mutual Aid - All calls received from Police agencies requesting Mutual Aid will be handled as though the call location were in our jurisdiction, and will further require the following:

- 1. Name of the on-duty commander/field supervisor representing the agency who is requesting the Mutual Aid.
- 2. Ascertain from the requesting agency if our units will be "handling" or "assisting" on the call.
- 3. When assisting other agencies, obtain the unit number or officer(s) name of the agency assisted, which will be entered on the CFS.
- 4. Patrol supervisor and on-duty commander must be notified immediately on all such requests. This notification may be delayed for emergency calls relating to life/death incidents.
- 5. Dispatch Officers/equipment as follows, and notify the requesting agency of responding units.
 - a. Never dispatch less than two officers or leave less than two officers within our jurisdiction, unless approved by the patrol supervisor, or on-duty commander.
 - b. Any request for fire, ambulance or other service by our personnel should be forwarded to the agency being assisted. Other departments should not be dispatched unless further requests are made by the agency being assisted.
- 6. Whenever our emergency personnel are involved in a pursuit or any enforcement action outside our jurisdiction, the appropriate agency will be notified immediately.

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7. The procedures for radio Communications between field members of interacting agencies, specifically the use of non-agency designated radio channels are listed below:
 - a. Members will advise Communications that they will be transmitting to interacting agencies and identify the channel and purpose.
 - b. Members using non-agency designated channels to talk with interacting members will identify themselves as Palm Bay Police Department members and provide their identification number.
 - c. After the communication is completed, members will terminate by advising their agency, ID number, and the channel on which they have been communicating is "clear."

302.34 Radio & Computer Emergency Alerts

A. Overview - All field units served by the Communications Center have been issued radios equipped with an Emergency Alert button. The Emergency Alert status may be activated from either a portable or mobile radio unit. All MDB's are also equipped with an emergency alert button. Emergency Alert buttons will only be activated when immediate, emergency assistance is required.

B. Procedure - Radio Emergency Alert

1. This situation requires the quickest response and greatest attention of the dispatcher.
2. Notification of an Officer calling for help would most likely be received on the radio. However, it is very possible that the call for help could be by telephone. The call taker must keep the caller on the line until arrival of additional units and the situation is brought under control.
3. When the caller refuses to stay on the line it will be noted in the call for service.
4. Whether received by telephone or radio, when the location is known, the dispatcher should initiate "Emergency Traffic" (10-33) and broadcast the location and the ID number of the Officer needing help. The call should be assigned to the zone unit and at least one backup unit along with notification of the road supervisor and on duty Shift Supervisor.

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5. When the dispatcher is advised by an on-scene unit that the situation is under control, the dispatcher will confirm with the officer before canceling the "Emergency Traffic" (10-33) or responding units. Notify the field supervisor.
6. All information, to include cancellation of "Emergency Traffic" (10-33), will be recorded in the call for service.

C. Emergency Button Activation [GO 302](#)

302.35 Radio Problems Procedure

- A. Communications Response** - Communications Center will strive for a quick, smooth and efficient mechanism for reporting problems with the 800MHz radio and Mobile Data system. The Communications Center will assist in diagnosing the Palm Bay first responders' radio problems any time requested. Included: Communications Center 800 MHz radio equipment and consoles PBPB 800 MHz station, mobile, portable radios.
- B. Procedure** - Communications Center 800MHz Radio Equipment and Console Reporting Procedure.
 1. Attempt to identify the problem (e.g., console malfunction, interference). If the problem seems to be a malfunctioning headset, replace the headset unit and re-diagnose the problem. Forward the broken headset to the Shift Supervisor or designee for repair. If it is determined to be a radio console problem refer to 2.
 2. Call Communications International Inc., during daytime work hours. After duty hours page the on call repair technician. Once contact is made with the technician, provide them a description of the problem. The Tech will either talk through a fix/repair or will respond to the station or tower site to make repairs.
 3. Notify the on-call City IT Technician in reference to problems with the MDBs. Contact can be made Monday through Friday by calling their office and after hours by calling the on-call person.
 4. The following information will be logged in the pass along book and if a Vendor is notified, initiate a Vendor Request (VR) call for service:
 - a. Date and time problem occurred
 - b. Description of problem

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- c. Name of person reporting problem
- d. Work order or ticket number

C. Agency radio identifier aliases are available in the radio consoles and from radio maintenance.

302.36 Transferring Medical and Fire Calls to Brevard County Fire Rescue (BCFR)

- A.** Medical calls and fire calls shall be transferred to Brevard County Fire Rescue (BCFR), which dispatches medical assistance and fire services to the City of Palm Bay.
 - 1. The call taker shall initiate a *MEDX* or *FIREX* call for service, documenting the caller's information and noting in the comments "transferred to BCFR."
 - 2. After transferring the call to BCFR, the call taker shall remain on the line until BCFR answers the call and it is determined a police response is not required. The call for service will be closed with no report.
 - 3. The call taker receiving the initial call will notify the BCFR operator of any HAZARD information for the address of incident. This may require an additional call to BCFR.
 - 4. If a police response is required, initiate a NEEDPD, code the call for service appropriately and follow proper dispatch procedures.
 - 5. After the call transfer is completed if it is determined a police response is required BCFR will notify Palm Bay Communications. The call taker or dispatcher will initiate an assist other agency CFS and follow proper dispatch procedure. The officer assigned may request a change code type.
- B.** In the event of emergency button activation on a fire department radio, BCFR will follow their protocol for confirming the emergency. If the emergency is confirmed BCFR will notify Palm Bay Communications to request police response.
- C.** If a fire or medical alarm is received from an alarm company, the call taker will inform the alarm company that Brevard County Fire Rescue dispatches for fire and medical alarms in the City limits of Palm Bay. The call taker will be printed for the Communications Manager. The Palm Bay Fire Department is responsible for contacting the alarm companies of the change in dispatch responsibilities.

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- D. BCFR and the PSAP receiving the initial call shall notify the primary PSAP for the incident jurisdiction if outside the City of Palm Bay.

302.37 Notification to Brevard County Fire-Rescue

- A. When the Fire Department and Brevard County Fire-Rescue are staging and the police officer on the scene of the incident gives the clear for the units to respond in, dispatch will notify Brevard County Fire-Rescue by the quickest means of Communications available.
- B. Dispatch will notify Brevard County Fire-Rescue by phone or radio when the Police Department requests the relay of pertinent information regarding an incident.
- C. **Hazardous Materials Incidents** - Hazardous materials incidents include, but are not limited to the following types of substances: chemicals, poisons, and insecticides, flammable or radioactive materials.
 - 1. Notify Palm Bay Fire Department through Brevard County Fire Rescue.
 - 2. A substantial/significant hazardous material incident is defined as:
 - a. Any petroleum product in excess of 50 gallons spilled or leaking by a commercial vehicle.
 - b. Any caustic or hazardous chemical which could cause injury or environmental damage.
 - c. Occurring at any location which constitutes an immediate or imminent threat to any private or public portable water system, regardless of the quantity of the material.
 - d. Any household chemical (bleach, pool chemicals, etc.) in excess of 5 gallons.
 - e. Brevard County Warning Point must be informed of any response to a hazardous materials incident, as directed by the on-scene commander.
 - f. In the event additional information is required for an unfamiliar chemical, CHEMTRAC provides 24-hour assistance. The Incident Commander may request the dispatcher to call CHEMTREC. Information that will be required is the chemical name, trade number, or identification number.
 - g. Information about hazardous materials can be accessed through e-Agency at the Teletype position.

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D. Bomb Incidents

1. Notify Palm Bay Fire Department through Brevard County Fire Rescue to respond in a stand-by position only during investigation of threat or actual device detected. All responding units will maintain "radio silent" so as not to activate a possible device with the radio.
2. Staging will be at a "safe distance" location determined by the Fire Department incident commander.

302.38 Tow Vehicle - Wrecker Requests

A. General - Wrecker requests from law enforcement or fire/rescue will be made through the Communications Center. Any Telecommunicator is authorized to contact wrecker companies for tow requests. Wrecker requests called in over the radio are referred to the Teletype Operator. All information pertaining to the wrecker request will be logged into the Wrecker Log book. A CFS will be initiated for repossessions and private property tows called in by wrecker companies.

B. Procedure

1. Teletype operators will ascertain the following information for processing a Wrecker Request for Revenue and Non-Revenue tows:
 - a. Date of the tow.
 - b. Time of the tow.
 - c. Vehicle location.
 - d. Officer requesting the tow.
 - e. Wrecker notified.
 - f. Checked through NCIC/FCIC.
 - g. Reason for the tow.
 - h. Incident CFS or DR number.
 - i. Officer/Firefighter ID number.
 - j. Vehicle description including Year, Make, Tag or VIN, Model, Color.

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- k. Communication employee making the log entry.
 - l. Was the owner notified?
 - m. Was an inventory completed?
 - n. Location where vehicle is stored.
 - o. Date and time vehicle entered into NCIC/FCIC.
2. **Processing the request for a Rotation Wrecker for the City of Palm Bay Police Department** - The Teletype operator will refer to the ROTATION WRECKER logbook. The Teletype operator will call the wrecker at the top of the list and provide them with the reason for the request, location, and complete vehicle description. The Teletype operator will complete the wrecker log utilizing the above listed information (Section B).
 3. **Processing the request for a Non-Revenue wrecker request for vehicles processed as evidence for The City of Palm Bay -**
 - a. The Teletype operator will contact the next wrecker on rotation for Non-Revenue tow and provide the same information along with the information that it is a vehicle being preserved as evidence. All information listed above will be entered into the Wrecker Log Book for vehicles towed as evidence, vehicle description, owner notified information, and registered owner.
 4. Department vehicles are towed by a specific wrecker company per City agreement.
 5. Whenever a vehicle is going to be towed, the Teletype operator will check the vehicle through NCIC/FCIC to make sure the vehicle has not been reported stolen.

302.39 Access Codes for Gated Communities

A. General - Acquiring, storing and relaying access codes for subdivisions and buildings are an important service that the Communications Center provides to the law enforcement responders. This information is kept in the online file of CAD ROLO under Gate Codes.

B. Procedures

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1. All access codes for subdivisions and buildings will be stored in Dispatch Emergency Book for use in the event of CAD failure.
2. Shift Supervisors will be responsible for entering, maintaining and deleting the CAD entries.
3. To avoid disclosing the access codes upon release of public records, the access codes will not be entered on the CAD event screen.
4. To transmit the access codes to field responders the dispatcher will use one of the following methods in order of priority:
 - a. Via MDB transmission
 - b. Officers without MDB's will need to contact the Communications Center via conventional or cell phone.
5. Access codes will not be given out over non-encrypted/digital radio channels due to security risks.

302.40 CODE RED - Community/Citizen warning notification procedure

- A. General** - The CodeRED emergency notification system is an extremely high speed emergency telephone communication service that can deliver customized emergency messages directly to homes, businesses and cell phones in our community. City IT is responsible for the City of Palm Bay CodeRED system.
- B. Policy** - CodeRED may be activated for emergency or critical non-emergency notifications.
 1. Examples of emergency notifications:
 - a. Missing or abducted children.
 - b. Missing endangered adults.
 - c. Criminal activity alerts requiring immediate public notification.
 - d. Evacuations.
 - e. Hazardous chemical situations.
 - f. Public threats.

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- g. Terrorist alerts.
- h. Fire and flood disasters.
- 2. Examples of non-emergency notifications:
 - a. Localized crime spree.
 - b. Assist Law Enforcement with crime investigations.
 - c. Pre-planned traffic issues.
- 3. Other uses of the CodeRED system will be determined by the Watch Commander upon reviewing the public safety or public benefit need to disseminate the information.

C. Procedures

- 1. The on duty shift supervisor will be the primary contact for the CodeRED activation.
- 2. All pertinent information to be disseminated will be forwarded to the on duty shift supervisor. The person requesting the CodeRED will assist in formulating the outgoing message and will identify the geographical area where the message will be sent.
- 3. The outgoing message should begin with, "This is an important message from the Palm Bay Police Department." A copy of the outgoing message and the geographical area will be printed and passed along to the oncoming shift if necessary. This will enable the next shift to resend the CodeRED message or to revise the message as necessary.
- 4. The Communications Manager will be responsible for updating the Do Not Call List as requested.

302.41 County - State Warning Point

A. Procedures

- 1. The reporting of incidents through the County Warning Point is critical to achieving maximum utilization of resources throughout Brevard County and maintaining informed decision makers. It is essential that we continue to focus needed resources through our centralized County Warning Point and Emergency Management to ensure the immediate release of resources when needed to save lives and protect property.

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2. All reportable incidents originating in the incorporated and unincorporated areas of the county must be reported to the County Warning Point. The reporting can be accomplished through telephone by calling Brevard County Fire Rescue Communications Center. The BCFR Communications Shift supervisor will log all incoming incidents, coordinate with Emergency Management, and report the incident to the State Warning Point. A log will be maintained for all incidents to the County Warning Point.
3. The State of Florida maintains a state/county warning system that is operational 24 hours a day. The purpose of this system is to inform the Florida Division of Emergency Management of incidents that might possibly require assistance from outside local and county government levels, Florida Statutes Chapter 252. Emergency Management directs that the County Director of Emergency management will perform the emergency management functions for all local government entities, the unincorporated areas of the county and as such maintains overall responsibility as the coordinator with the State Warning Point/Division of Emergency Management. The Florida Division of Emergency Management provides the necessary equipment to operate and maintain the warning system in Brevard County.

B. Criteria for Incident Reporting

1. The following criteria is a guide to incident reporting to the County Warning Point. This should only be used as guidance, when in doubt, CALL. The Warning Point Operator can further help in advising on notifications or for rendering of assistance. ALL CALLS should start with a formal statement of **"I AM REPORTING."**

a. Transportation

- Incidents involving major thoroughfare closures.
- All aircraft incidents/accidents or hijacking.
- All railroad incidents.
- Incidents involving mass casualties.
- All major incidents involving commercial vehicles/vessels.
- All cruise ship incidents involving potential evacuation, and/or quarantine for potential or unknown illness.

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b. Hazmat

- Petroleum based spills.
- Spills into/involving state waterways (any amount).
- Spills greater than 25 gallons (or potential > 25 gallons).
- Spills requiring any state/federal notification or assistance.

c. Chemical Spills

- All SARA/EHS/CERCLA (Section 304) releases.
- All spills threatening population or the environment.
- All spills requiring evacuation.

d. Fire

- Wildfires of 5 acres or more.
- Fires involving chemicals or significant amounts of petroleum products.
- Large or multiple structure fire involving evacuations.

e. Radiological

- All incidents involving suspected/actual radioactive materials.
- All incidents concerning nuclear power plants.
- Any transportation incident involving radiological resources.

f. Weapons of Mass Destruction

- Any threat involving Weapons of Mass Destruction (Biological, Chemical, Radiological, Explosive).
- Any Bomb Threat.

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g. Weather - Any incident associated with weather phenomena involving possible/actual damage to property or persons (i.e. wind damage, tornadoes, lightning strikes, flooding).

h. General

- Sinkholes.
- Public water source contamination/beach contamination.
- National Security.
- Medical waste.
- Immigration issues.
- Potential/Actual dam failures.
- Civil disturbances.
- Incidents with potential effects to adjacent counties.
- Incidents requiring assistance from state/federal agencies.
- Incidents with a prolonged effect on public utilities
- Incidents involving potential or actual evacuations.

i. County Warning Point

CALL: 321-633-1737

FAX: 321-635-7849

RADIO - Use the EOC talk group on the 800 MHz System

302.42 Severe Weather Operations

A. The PCS Center duties and responsibilities will be as outlined by the Department All Hazards Plan. [GO 218](#)

1. Communications Manager

- a.** Responsible for management of the Communication needs. Will provide Communications services to support overall objectives and the incident command staff. Ensure that all Communications functional actions are directed toward accomplishment of the plan by coordinating Communications functions with the Emergency Operations Center.

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- b. Responsible for providing facilities, services, and materials in support of the Communications Center. Coordinates repair and maintenance of Communications Center Communications equipment. Will be Communications Center liaison to agencies for post storm communication systems repair or replacement. Will have direct involvement in the development and implementation of the communication action plan and activates and supervises functions within the Communications support unit.

2. Shift Supervisors

- a. Responsible for supervising all Communications operations directly applicable to the mission. Activates and supervises organizational elements in accordance with the Response Plan and directs its execution. Implements the operational plan(s), requests releases of resources, makes expedient changes to the action plan as necessary and reports such to the Communications Manager.
- b. Provide, at the direction of the Communications Manager, for the collection, organization and relay of events, situation information to the EOC. Evaluate, analyze and display of that information.
- c. Responsible for performing duties as directed by the Communications Manager. Report work progress, resource status and other important information to the Communications Manager.

302.43 Communications Emergency Evacuation Procedures

A. Purpose - An effective and efficient plan for evacuation of the Communications Center and the continuation of services is an essential part of all Communications operations.

B. Emergency Incident Categories - Examples of events that may lead to evacuation include:

Fire	Electrical Failure	Severe Weather
HazMat	Bomb Threat	Hazardous Condition
Equipment Failure	Facility Damage or Malfunction	

C. Types of Evacuations

1. Planned - Staged Evacuation (fumigation, drill, equipment upgrade, etc.).

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2. Imminent Threat - Staged Evacuation (fire or fire alarm in other part of the building, HazMat outside).
3. Immediate Evacuation (fire in the room, bomb threat where time of detonation is unknown).
4. Incomplete Evacuation (explosion, personnel unable to evacuate).

D. Communications Center Operational Conditions - Certain events such as severe weather, equipment problems, hazardous situations, field incidents, etc. can have an effect on the capabilities and service levels that the Communications Center can provide. To alert all officers that a condition exists that have affected the normal capacity of the Center, the following terminology has been developed. Notification will be made to all units on all channels so that the appropriate Communications operating adjustments by in-service units may be implemented. Employees should stop all non-essential phone and radio Communications and requests thru the Communications Center.

1. **Planned Event** - The Communications Center is proceeding with a planned evacuation of the Communications. Employees will have been contacted previously to alert them of this event and the effects on the level of service.
2. **Imminent Threat** - The Communications Center has an imminent threat that is causing the Communications Center to proceed with a staged evacuation. Employees should be prepared to deal with interruption of services normally provided by the Communications Center.
3. **Immediate Threat** - The Communications Center has an immediate threat that is causing the Communications Center to evacuate immediately. The Communications Center is completely off the air for phone and radio Communications. The shutdown time will be about 15 minutes. A radio announcement will be made when the Communications Center resumes limited operations.
4. **Complete Failure** - The Communications Center has suffered a catastrophic failure. Communications capabilities and personnel have been completely disabled. Relocation of the existing personnel to the Backup Center may not be possible. Field units that become aware of a no-service condition should investigate the cause and report their findings to their Patrol Supervisor. The Watch Commander or Patrol Supervisor should notify all other public safety agencies and initiate contact of the Communications Manager and the on-duty Shift Supervisor to staff the Backup Center. A radio announcement will be made with the Communications Center resumes limited operations.

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E. Authority - The ranking on-duty Shift Supervisor will determine and execute the appropriate evacuation procedure.

F. Immediate Concerns

1. All Communications Center personnel should be familiar with this plan.
2. Personal safety - special attention for the disabled and injured.
3. Field unit continuity.
4. 911/ Brevard County E 911 System SOP-Alternate Routing.
5. Radio outage procedures.
6. Notification of command.

G. Immediate Actions

1. Determine to evacuate and type.
2. Personnel accounting - on-duty and guests.
3. Dispatch the emergency.
4. Notify the building occupants.
5. Notify the agencies.

H. Procedures - Immediate Threat - In the event of smoke, fire, or any other life-threatening emergency within the Communications Center, all employees, and guests will evacuate the building immediately.

1. The Shift Supervisor will have the fire alarm pull station activated immediately (it is located next to the east fire stairwell door), and have the Fire Department dispatched to the building.
2. The Shift Supervisor will assure that all personnel and guests exit the building.
3. The Shift Supervisor will transfer of all phone lines as directed.
4. Dispatchers will “alert and simulcast” on all active channels that Dispatch has an Immediate Threat and is out of service due to evacuation to the Backup Center.

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5. Dispatchers and Call-takers will take their desktop mobile and portable radios with them, and operate their primary talk group as much as possible during the time they are relocating. Personnel will not delay evacuating to collect personal items from desks, lockers, etc.
6. The Shift Supervisor will ensure:
 - a. That the Evacuation Boxes and all the equipment listed on the lids is collected and taken to the Backup Center.
 - b. Direct the use of the northeast stairwell and go all the way to the ground floor and use their personal vehicles to relocate to the Backup Center. If the northeast stairwell cannot be used, the main stairwell should be used to exit.
 - c. Handicapped personnel are positioned within the fire stairwell and that assistance is provided for their evacuation.
 - d. Ensure everyone is safely out of the building and report anyone missing to the fire department.
 - e. Upon arrival at the Backup Center, PSAP will assign personnel to the operating positions, and assure that all necessary equipment is activated.
 - f. Once all Backup Center positions are staffed and operational, dispatchers will notify all agency commands that the relocation is complete, and broadcast over all active channels that they are resuming service in a limited capacity until further notice.
 - h. In the event that the evacuation becomes a news media event, and as soon as their work allows, it becomes important that personnel notify their families that they have relocated to the Backup Center and that they are okay.
 - i. If return to the main center by shift change is doubtful, the oncoming shift must be notified to report to the Backup Center.

I. Imminent Threat - Staged Evacuation

1. A staged evacuation will consist of two groups.
2. The Shift Supervisor will coordinate the evacuation and assign personnel appropriately into a Primary Group and a Secondary Group.

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3. Primary Group will immediately evacuate, and relocate to the Backup Center.
4. Secondary Group will remain in the main center, provided conditions are safe, operating at minimum capability until Primary Group activates the Backup Center.
5. The Shift Supervisors will ensure that all maintenance personnel and guests exit the building.
6. Secondary Group will immediately evacuate should conditions deteriorate as determined by the Shift Supervisor or Fire Department. Should conditions cause an immediate evacuation, the Shift Supervisor will declare an Immediate Threat, which will be broadcasted.
7. Dispatchers will "Alert and Simulcast" on all primary channels and talk groups that Communications has an Imminent Threat. The channels to remain in service during relocation will be:
 - * PB-PAT1
 - * PB-PAT2
 - * PB-TELE
 - * Other Channels may be used when incident dictates
8. The Secondary Group Shift Supervisor will notify the Communications Manager of the Imminent Threat.
9. Dispatchers will take portable radios with them and operate and monitor their primary talk group.
10. The Primary Group Shift Supervisor will ensure that the Evacuation Boxes and all the equipment listed on the lids is collected and taken to the Backup Center.
11. Personnel will follow the designated fire exits, and use their personal vehicles to relocate to the Backup Center.
12. The Shift Supervisor will ensure that assistance is provided for the evacuation of handicapped members.

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13. Evacuating personnel should ensure that all doors are closed as they exit the building.

J. Backup Center Activation

1. The Shift Supervisor will assign personnel to the operating positions, and ensure that all necessary equipment is activated.
2. The Shift Supervisor will notify the Secondary Group Shift Supervisor when the Backup Center is operational, and coordinate takeover of phone and radio activity.
3. Secondary Group, under the direct supervision of the Shift Supervisor, will evacuate from the main Center once the Backup Center is operational.
4. The Secondary Group Shift Supervisor will transfer all phone lines.
5. Secondary Group will exit the building, as did Primary Group, using their personal vehicles, proceed to, and fill remaining position assignments, at the Backup Center.
6. Once the Backup Center is fully staffed, agency commanders will be notified that the relocation has been completed and limited service will remain in effect until further notice.

K. Securing from Evacuation

1. When advised that Communications personnel may return to the main Communications Center, the return to the Center will be completed in two groups.
2. The Secondary Group Shift Supervisor will transfer all phone lines.
3. Returning personnel will secure the Backup Center equipment, and reactivate the equipment necessary at the primary Center to resume normal activity.
4. The Secondary Group Shift Supervisor will ensure that the Backup Center is fully secure upon their departure.
5. Dispatchers will broadcast on all primary channels and talk groups, when the main Center has returned to full operation.

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6. They will assure that all mobile and portable equipment used for the evacuation and relocation is returned. The Communications Manager will ensure equipment in need of repairs is serviced to a state of readiness.

L. Fire Alarm Activation - Immediate Evacuation or Imminent Threat

1. The rapid determination for the cause of the fire alarm activation can prevent an unnecessary evacuation. Radio Communications with the Fire Department, which can help them locate the problem, can often minimize or avoid an evacuation.
2. When the fire alarm sounds, take action immediately. Follow procedures for an Imminent Threat - Staged Evacuation as described in Section B. Don't wait until smoke or a problem becomes more evident.
3. The Shift Supervisor will have one person cautiously check areas for signs of fire, and advise of these findings.
4. The Shift Supervisor will read the fire alarm panel information and will have the Fire Department notified of what the fire alarm panel is displaying and any observations.
5. The Communications Manager or Shift Supervisor, equipped with radios, will provide assistance in determining the cause for the fire alarm in an effort to quickly size up whether evacuation is warranted.
6. The Shift Supervisor will have the Fire Department notified of what the Communication Center's plan of action is, i.e., "We are beginning Immediate Evacuation, etc."
7. As soon as a valid "Safe Condition" report is received, the Center will be returned to normal operation.
8. A change in conditions will be immediately relayed to the Fire Department.

M. Bomb Threat - Time Certain - Imminent Threat Staged Evacuation. Follow the procedures as listed for a time certain event, but, upgrade the incident to an Immediate Evacuation condition and follow procedures.

O. Severe Weather, Hazardous Materials, Electrical or Other Hazardous Conditions - Shift Supervisor will determine and execute the appropriate type of evacuation according to the implications caused by the threat.

P. Planned Evacuations

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1. Planned evacuations will be coordinated around the change of shifts to minimize disruption of service.
2. Planned operations from the Backup Center will function under a planned Evacuations conditions.

302.44 Mass Casualty Incidents

- A. **Purpose** - To establish procedures for the Public Safety Communications Center to handle Mass Casualty Incident (MCI) events in accordance with Palm Bay Police and Fire Departments mutual response.
- B. **Procedures** - The Department All Hazards Plan [GO 218](#) provides response protocol for mass casualties.

302.45 Incident Command System (ICS)

- A. Refer to Department Critical Incidents [GO 215](#) and ICS [OMA 215](#).
- B. Communications Primary Role
 1. **ICS Training** - All Communications members will receive a basic introductory Incident Command System training. This training will orient the employee to the organizational structure, functionality and terminology of ICS. The training will also provide specific examples of the Communications Unit's alignment, responsibilities, forms and procedures while operating in the ICS environment.
 2. **ICS Application** - Communications Center Dispatchers who are working an incident involving ICS operations will ensure that all Communications comply with ICS organizational structure, operational procedures and terminology. Primary Communications should be limited to the Dispatcher assigned to the incident and the Incident Commander (COMMAND). Additional Communications channels may be set up between additional on scene personnel and the Primary or additional Dispatchers, depending on the size and complexity of the incident. Incidents of a large scale or extended operational periods may require the use of on scene Field Dispatchers. The request for Field Dispatchers must be requested by the Incident Commander or designee and approved by the Communications Manager or Division Commander.

302.46 External/Internal Resources

- A. **General Responsibilities** - To provide Public Safety Communications Center personnel with procedures for procuring external services such as fire

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equipment, environmental and human services, ambulances, aircraft, wreckers, taxis, law enforcement agencies, and miscellaneous agencies. The Communications Center provides Communications service for law enforcement/fire/ rescue agencies. Certain calls for service require the notification of other federal, state, or local government agencies or support agencies. It is the Communications Center's responsibility to coordinate the necessary notifications on behalf of the field units served.

B. Procedure - The Communications Center will maintain telephone numbers and other means of contacting the following external service agencies:

1. **Fire/rescue (ambulance) equipment** - All fire/rescue not served by the Communications Center will be contacted by telephone. Telephone numbers are available via:
 - a. CAD.
 - b. Telephone directories.
 - c. Automated Telephone System.
2. Environmental services will be contacted by telephone. Such agencies will include federal, state, and local agencies devoted to the protection of air, water, land, and wildlife. Telephone numbers are available via:
 - a. CAD.
 - b. Telephone directories.
 - c. Automated Telephone System.
3. Human resources agencies will be contacted by telephone. Such agencies include federal, state, and local agencies devoted to providing services to the citizens of Palm Bay. Telephone numbers are available via:
 - a. Telephone directories.
4. Aircraft information will be obtained by contacting the Melbourne Airport, or any of the commercial or private airlines operations. Telephone numbers are available via:
 - a. Telephone directories.
 - b. Automated Telephone System.

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5. Law enforcement and specialty units (SWAT, underwater rescue, drug interdiction, aircraft, etc.) - The law enforcement agency served by the Communications Center can be contacted by radio (via the appropriate Communications Center dispatcher) or by calling the Communications Center by telephone. Law enforcement agencies (federal, state, or local) not served by the Communications Center will be contacted by telephone. Telephone numbers are available via:
 - a. CAD.
 - b. Telephone directories.
 - c. Automated Telephone System.
6. Taxis - Local transportation services will be contacted by telephone. Telephone numbers are available via:
 - a. Telephone directories.
 - b. CAD.
7. Other miscellaneous external services (e.g. other emergency service agencies, hospitals, schools, poison control center, FAA, air ambulance, etc.) will be contacted by telephone. Telephone numbers are available via:
 - a. CAD.
 - b. Telephone directories.
 - c. Automated Telephone System.
8. Traffic/Road hazards. Traffic Operations will be contacted to report malfunctioning traffic signals, downed or missing traffic signs (stop, yield, etc.), and street signs. Telephone numbers are available via:
 - a. Telephone directories.
 - b. Automated Telephone System.

C. Internal service

1. The Communications Center will also maintain a means of contacting all agency members and special units.

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2. Agency personnel/special units will be contacted by radio (via the appropriate dispatcher), by telephone, and email. Telephone numbers are available via:
 - a. K Drive. This resource provides schedules applicable to Patrol Officers, Detectives, Traffic Officers, K-9 officers, and on-call personnel.
 - b. This resource also provides a list of special units to callout regarding certain special situations: (SWAT, URT etc.). This resource provides the business and home telephone numbers and home addresses of all agency personnel. These resource listings are also available via the CAD system.
- D. Access to resources** - Communications personnel has immediate access to duty rosters, home telephone numbers and physical home addresses of every member.
- E. Wrecker Services**
1. The Teletype operator will be responsible for calling all rotation wrecker services. Requests for AAA wreckers and requests for specific wrecker services (non-rotation) made to call takers or dispatchers may be processed by those positions. Wrecker services will be contacted by telephone. Telephone numbers are available via:
 - a. Wrecker Log.
 - b. AAA wrecker service - special law enforcement telephone numbers.
 - c. Telephone directories.
 2. All wrecker services associated with the "rotation list" will be administered in accordance with the City Ordinance.
- F. Resource Maintenance** - It is the responsibility of all supervisory personnel to update all telephone number files. This will be accomplished immediately after notification that a specific external service phone number or contact procedure has been changed. New resources will be added to the appropriate list or file.

302.47 Access to Service Area Maps

- A. Overview** - The Communications Center provides City-wide emergency 911 service and Communications service for law enforcement/fire/rescue agencies. Maps are an essential resource to assist call takers and dispatchers in locating

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addresses, general locations, zones, and grids. This information is vital to the accurate processing of calls for service.

B. Access - The Communications Center provides a Computer Aided Dispatch (CAD) system that is map-based. This computerized map system defines the jurisdictions of law enforcement/fire/rescue agencies in Palm Bay. City of Palm Bay wall maps are available through the Communications Center and are supported by the City GIS Department. Communication personnel will utilize maps as a reference when processing calls for service.

C. Maintenance - City IT maintains the CAD map system. Errors found in the system are electronically sent, maintained, and updated by mapping coordinators. It is the responsibility of all Communications Center personnel to report any errors on this system. The 911 mapping system is maintained by the Brevard County E-911 Administration office, errors are reported via the 911 Inquiry Form.

302.48 FCIC/NCIC General - FCIC/NCIC Procedures [Operating Manual A302](#) and General Order 312 Criminal Justice Information System provides general procedures for all Department members who are authorized to use the system. The following procedures are specific to the Communications function.

A. FCIC/NCIC Regulations - Criminal histories are sometimes obtained by officers. Criminal histories will be dealt with according to FCIC/NCIC regulations to include the following:

- 1. Receipt of Criminal Histories** - Any criminal history printouts requested by an officer will reflect that officer as the requestor as well as the Teletype operator in the FDLE FCIC/NCIC data base log. Certified FCIC/NCIC operators and law enforcement personnel may receive criminal histories for criminal justice purposes only.
- 2. Dissemination of Criminal Histories** - Communications members are authorized to disseminate FCIC/NCIC documentation to authorized requestors in performance of their official duties. All requested Criminal Histories must be documented in the Criminal History dissemination log. At the end of each month, the log is forwarded to the Records Supervisor to be archived.

B. Security of Information - There is one FCIC/NCIC terminal in the Communications Center. It is secured through a password process known only by the individual user. Inadvertent perusal of the FCIC/NCIC terminal screen is diminished by way of its placement in the office area. Access to the Communications Center is controlled.

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C. Destruction of FCIC/NCIC Documents - FCIC/NCIC Documents are shredded by the teletype operator on each shift.

D. Authority - The office of the Chief of Police maintains an active "User's Agreement" with the FDLE.

302.49 Retention of Records

A. General - The Communications CAD system tracks all calls processed by the Center. The CAD system interfaces with the records management systems (RMS). CAD generates information pertinent to all calls dispatched by the Center including incident location, caller information (name, address, and phone number), remarks about the incident being reported, units assigned to the call, and disposition of the call. NCIC/FCIC interfaces also generate records.

B. Procedure - Although the Communications Center provides multi-agency Communications service, all records generated by the Center will be retained by the Palm Bay Police Department under the direction of the Records Unit. All Communications Center records will be retained in accordance with procedures described in the State of Florida guidelines.

C. Other Documents - During the course of daily work, documents such as computer printouts, working notes, memos and/ or other documents not required as retention of official work documents, may be generated. These documents may contain work-sensitive information and will be disposed of appropriately. All such documents will be placed into "Items to be shredded" box and will be shredded on an as needed basis by a designated Communications Center employee.

302.50 Expectation of Privacy

A. General Provisions

1. It is the policy of the Agency that employees do not maintain an expectation of privacy while utilizing Police owned or City owned equipment or property. This includes recorded phone lines, fax machines, lockers, vehicles, desks, CAD messaging etc. This does not apply to personal property such as purses, brief cases, backpacks, etc.
2. The Agency reserves the right to access, for quality control purposes and/or violations of agency policy or procedure any such property or equipment and may require employees to provide passwords or lock combinations.

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3. Employees may only use agency equipment or property for official business. Personal use of agency equipment or property is authorized unless specifically prohibited by other directives; however abuse of such privilege will subject the employee to disciplinary action in accordance with Department [GO 413](#), Uniforms and Equipment, and City Rules and Regulations

302.51 Weather Condition Monitoring

- A. General** - The Communications Center utilizes a weather radio to alert incoming severe weather. The weather radio is monitored by the on duty Communications Supervisor. During busy periods, this may be difficult to monitor and unexpected weather events may occur.
- B. Responsibility** - Communications Center Supervision staff shall be responsible for monitoring, reporting and making appropriate notifications regarding expected weather conditions.
- C. Procedure** - When severe weather is expected to affect the Palm Bay area, the Communications Center supervisory staff shall use the information for staffing and scheduling requirements as well as to alert Patrol, the Fire Department, EOC and the Communications Center staff on the expected weather conditions. If the alert extends past the on duty shift, the oncoming shift will be alerted.

305.52 Distribution Scheduled Work and of Overtime

- A. Purpose** - To maintain minimum staffing levels to insure shift coverage equally and fairly, and to insure consistent distribution of overtime, procedures outlined in the City of Palm Bay Personnel Rules and Regulations and the CBA shall be used.
- B. Procedure for Maintaining Minimum Staffing**
 1. Minimum staffing will be established by 9-1-1 and administrative telephone and CAD statistics based on the time of day and the day of the week. Management will identify areas to meet this guideline through scheduled staffing.
 2. When a shift drops below the accepted minimum staffing level for a shift initiate a notification for the Communications Overtime group with the date and time for the overtime. Schedule the first qualified person to accept.
 3. Shift Supervisors shall have their respective schedules ready for distribution in accordance with the CBA.

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4. Part-time employees may be scheduled to cover meal relief breaks in addition to covering minimum staffing.
 - a. Part-time employees are required to work at least 10 hours per month to maintain their status. Covering meal breaks, reading DMS, etc. fulfill this hourly requirement.

C. Posted Overtime

1. When prepared, the "overtime sign-up sheet" (with the date posted in the upper right-hand corner) will be posted for four days. After the four day posting for overtime, the Shift Supervisor shall schedule personnel. Once a person is scheduled, it is their responsibility to report for duty the same as any other workday or find their own replacement pending supervisor approval.
2. Each employee may sign up for a maximum of four blocks of overtime within a fourteen-day period (a block of overtime equals 4 hours). Communications employees are not authorized to work more that twelve hours in a row, unless approved by the Communications Manager. Communications employees in training, assigned to a Communications Training Officer (CTO), may sign up for overtime on their days off, provided they are qualified for the position where overtime is needed.
3. When an overtime roster is posted, the Shift Supervisor is authorized to make changes. Once a Communications employee has signed up for overtime, they are committed to work; it is considered their shift and normal scheduling policies apply.
4. If it becomes necessary to cancel any of the posted overtime, the on duty Communications Supervisor will cancel the affected overtime positions. The affected employee will be notified as soon as possible.
5. When a Communications employee is deficient in work performance, or has excessive tardiness or absences, he/she will not be allowed to work overtime until the deficiency has been corrected.

D. Mandatory Overtime - After exhausting all available resources to fill the overtime, refer to the mandatory overtime rotation list. The mandatory overtime rotation list for each shift is located on K-Drive/Schedules/Dispatch.

1. The mandatory overtime rotation list is managed by the respective Shift Supervisor. Initially, the Telecommunicator with the least seniority shall be placed at the top of the list and the Telecommunicator with the greatest

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seniority shall be placed at the bottom of the list. The mandatory overtime rotation list will reset with the annual shift bid.

2. If a shift is short on staffing, use the list to determine who will be required to stay and work the overtime. Attempts will be made to split the shift of overtime between employees to avoid someone having to work a 16-hour day. If no one is able to take the second half, the employee directed to hold over will work the entire 8-hour shift.
3. Once a Telecommunicator works 4-hours of overtime, the next person on the list will be up next to work any mandatory overtime. If a Telecommunicator is required to work an 8-hour mandated overtime shift, they are not be required to work mandatory overtime until the other Telecommunicators of their shift have also worked 8-hours.
4. Telecommunicators out for vacation, sick, days off, etc. will be placed back in the rotation upon their return to work.
5. Telecommunicators are encouraged to work together to coordinate who will stay for the mandatory overtime. If a Telecommunicator is up next on the list, but they have a conflict, a co-worker may agree to cover the mandatory overtime. The time the Telecommunicator who actually works the mandatory overtime will be counted. The Telecommunicator who was originally up next in the rotation will be up next to take any mandatory overtime.
6. Telecommunicators who are in a "trainee" status are exempt from the mandatory overtime.
7. List of accepted reasons for not working mandatory overtime:
 - a. Telecommunicator is on approved leave.
 - b. Illness or injury to a Telecommunicator or immediate family member. The Telecommunicator may be asked for a doctor's note in accordance with City Rule.
 - c. Telecommunicator has already worked 16-hours straight.
 - d. Telecommunicator is in a Department approved training class.

302.53 Time-Off Request

- A. Staffing and Leave Time** - The Shift Supervisor or Communications Manager grant time off to all employees fairly, and impartially, while maintaining

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minimum staffing levels and appropriate manpower within the Communications Center.

B. Procedure

1. The Shift Supervisor may authorize an employee to use forty hours of vacation, compensatory, and bank time, provided approval does not require assigning or posting overtime. If overtime is required, authorization must come from the Communications Manager.
2. The Communications Manager may authorize an employee to use up to eighty hours of vacation, compensatory, and bank time.
3. Any requests to use time in excess of eighty hours shall be referred to the Department Head or his/her designee.
5. As of the time and date of posting of the new shift-bid assignments, requests for time off after the new shift assignment begin shall be submitted and approved by the new assigned Shift Supervisor, if applicable.
6. Leave requests will be approved based on provision in the bargaining unit contract.
7. Shift Supervisors shall review all leave requests submitted in ExecuTime and provide the Telecommunicator with a notice of "approved" or "disapproved" as soon as staffing levels can be determined for that time period. If the Telecommunicator is a CTO, the supervisor will require them to forward the request to the CTEP Coordinator before it can be "approved" or "disapproved."
8. Under normal circumstances, no more than one Telecommunicator per shift will be authorized scheduled leave time. No overtime shall be incurred by approving leave for more than one Telecommunicator.

302.54 Bidding for Shift and Days Off

- A. Purpose** - In order to consistently provide an exemplary level of service, it is necessary to have experienced Telecommunicators equally distributed among the three primary shifts. The equitable distribution of senior Telecommunicators will also create an atmosphere whereby the less senior employees will have an opportunity to learn from a mentor. This should enable those employees to gain confidence in their own work product and learn from past work experiences of the senior Telecommunicators.

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B. Procedure to Bid Shift - In order to achieve equitable distribution of senior Telecommunicators, a bidding process will be utilized as follows:

1. Seniority

a. In accordance with the NAGE contract, seniority shall be based on the employee's length of time in the classification (i.e. Telecommunicator, Telecommunicator Shift Supervisor). If two or more employees in the same classification are bidding for a position, seniority shall be based on the most recent date of hire.

b. Trainees/probationary employees at the discretion of management.

2. Shift bidding will occur annually

3. At least 28 days prior to the date of the new bid period, the Shift Bid form will be posted.

4. Bid forms must be filled out with the shift preferences, choice 1 - 3.

Days: 0730 – 1600
 Evenings: 1530 – 2400
 Mid-Nights: 2330 – 0800

5. The bid forms must be completed within 14 days of posting.

6. Telecommunicators will be assigned to shifts per the roster according to their bid in their respective classification and based on seniority (date of hire within the City of Palm Bay) in that classification. Each shift will be evaluated to ensure equal distribution of experience levels.

7. Upon release from the Training Program, trainees/probationary employees will be placed where needed until the next bid process.

C. Procedure to Bid for Days Off

1. Shift Supervisors' and the appointed Alternate Shift Supervisors' days off must not overlap in order to provide supervisory coverage seven days a week with the exception of approved leave, sick leave and training days. In these situations, the Shift Supervisor will appoint the on-duty Supervisor.

2. Telecommunicator days off will advance by one day every two months.

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3. Shift Supervisors are responsible for the management of their shift schedules. Shift schedules must be maintained and up to date on K-drive/Schedules/Dispatch.

302.55 Dissemination of Information - Other Agencies

A. Release of Information to Other Public-Safety Agencies

1. **Agencies Served by the Communications Center** - Any agency served by the Communications Center will have available information pertaining to incidents and/or calls for service responded to by their agency. Personal employee information such as home phone number, address, pager number, etc. is available in the Communications Center (FSS 119). Requests for information by other agency employees will be positively identified or the call will be referred to the Shift Supervisor.
2. **Agencies Not Served by the Communications Center** - Agencies requesting back-up assistance, information on dual-response incident (the outside agency along with an agency served by the Communications Center), information from a 911 call that originated in the Communications Center, or routine information will be provided information. Personal employee information is not made available to any outside agency. Inform the requestor the information cannot be released. If it appears urgent, the Shift Supervisor will contact the employee and relay the requestor's information.

B. Exempt and/or Confidential Information

1. Any questions regarding release of information about a current or on-going incident or investigation about the victim, witness and/or suspect information should be referred to the on-duty Communications Center Shift Supervisor or Patrol Supervisor.
2. Do not release information or give out names of confidential employees or SIU agents. Members **will not acknowledge** that the SIU member is employed as an officer with this or any other agency per [GO 401](#). Communications personnel will accept a message for employees of this agency without acknowledging they work here. General requests will be forwarded to that employee, or their secretary.
3. All outdated or obsolete information containing personnel data, such as phone numbers and addresses will be shredded.

302.56 Panic Alarm - Lobby and Detention

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- A. General** - Panic alarms are installed in the front lobby and in the detention area to alert the Communications Center of an emergency. If the panic alarm is activated in the lobby, the red flashing light above the Communications Center entry door will be activated. If the panic alarm in the detention area is activated, the yellow flashing light above the Communications Center entry door will be activated.
- B. Responsibility** - All Communications Center employees will be responsible for monitoring, reporting and making appropriate notifications regarding panic alarm activation.
- C. Procedure** - If a panic alarm is activated, the South radio operator will immediately activate the tone alert and initiate emergency traffic on Patrol 2. A minimum of two officers and a supervisor will be notified of the activation to respond. An announcement of the panic alarm activation will also be transmitted over the internal phone PA system so that officers who might be at the station can respond immediately. The video monitoring system will be viewed in an attempt to determine what activity is occurring and the information relayed to the responding units.

302.57 Cannabis Civil Citation

- A. General** - The officer will determine the appropriate response for the issuance of civil citations for cannabis possessions of less than twenty (20) grams as an alternative to arrest for a misdemeanor offense. The following procedure will be followed in the processing of the officer's request:
- B. Procedure:**
 - 1. When an officer determines that the issuance of civil citation may be appropriate, they will clear their primary channel for Teletype. The officer will run the subject with the Teletype operator through FCIC/NCIC.
 - 2. The officer will request a count of the subject's prior civil citation issuances. The Teletype operator will research CAD to determine the number of previous violations and inform the officer of any ineligibility flags.
 - 3. If the officer issues a civil citation, they will request the Teletype operator generate a "drug civil" (S35C) call for service and issue a document report number. The subject's information will be entered into the "drug civil" call for service by the Teletype operator.
 - 4. The officer will clear back to his primary channel and inform the radio operator of the citation issuance. The officer will clear the call for service with a report disposition.

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5. The cannabis civil citation program manager will notify the communications center manager of individuals who are found ineligible for future participation in the program and the communications center manager or designee will flag the violator in the CAD system.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Communications Training & Evaluation Program (CTEP)		OM No: C302
Rescinds: CTEP Training Manual Revised: 03/08/18		CFA 5th: Revised: 06/28/18
Reference: OM A302, B302, 410. CTEP SEG's, CTEP DOR.		
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302 Purpose - This Manual provides a system that can organize, administer, and evaluate the training of new hires. The ultimate goal for this training is to expose the Probationary Telecommunicator to as many varied situations as possible in the shortest amount of time under controlled circumstances. The objective of the program is to train and develop the employee into a proficient member of the Department capable of functioning as a solo Telecommunicator. The Communication Training and Evaluation Program (CTEP) establish standardized and structured on-the-job training.

302.1 Procedures - All new Telecommunicators will complete Communications Training as assigned. This training will be organized, administered and evaluated by the Communications Manager. The training will follow specific formats for the program as follows:

A. Orientation - Orientation topics provided are Department General Orders, Communications Operations Manual, Communications Training and Evaluation Program Manual and will be assigned to watch applicable videos.

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Training and Evaluation Phase

1. 911/Call Taker - The Trainee is assigned to a CTO from four to six weeks.
 2. Police Radio - The Trainee is assigned to a CTO from four to six weeks.
 3. Teletype Operation - The Trainee is assigned to a CTO from four to six weeks.
 4. Final Evaluation - The Trainee is assigned to a CTO for check off at the completion of 911/Call Taker, Police Radio, and Teletype training phases. The Trainee takes on all tasks of the position assigned while the CTO evaluates his/her performance. If needed, the Trainee and the CTO can discuss calls and other issues, but the Trainee is expected to handle calls without assistance from the CTO.
- B. CTO Supervision** - CTOs will be under direct supervision of the CTEP Coordinator.
1. The CTEP Coordinator is responsible for the scheduling and supervision of CTOs while training
 2. When appropriate, the Communication Training Officer will refer training problems through the proper chain of command for resolution.
- C.** Trainees in the CTEP may be extended for a period up to two weeks for remedial training provided they meet the identified circumstances in the Remedial Training Section; such extension is recommended by the Communication Training Officer and approved by the Communications Manager.
- D.** Trainee evaluations will be completed daily on a *Daily Observation Report Form (DOR)*.
1. Each DOR will reflect the activity for the shift, with appropriate rating for each category and comments as necessary. The Trainee is required to read their DOR.
 2. DORs will be forwarded to the CTEP Coordinator for approval, with copies of reports and other written activity at the end of the evaluated shift.
 3. At the end of each training phase the training record will be reviewed. The CTO will make a written recommendation to do one of the following:

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- a. Placement in check-off.
- b. Extend the current phase of training.
- E. Trainee records are confidential during the *developmental* phase and will not be included in regular personnel files.
- F. Lesson plans and forms used to document training will become an appendix to this manual. Original lesson plans must be prior approved by the Communications Manager.

302.2 Definitions

- A. Communications Manager** - The Communications Manager is responsible for the overall operation of the Communications Center.
- B. Communications Shift Supervisor** - The Shift Supervisor is responsible for the daily scheduling and operations of the training on their shift.
- C. Communications Training and Evaluation Program Coordinator** - The CTEP Coordinator is responsible for the day to day operation of the CTEP.
- D. Communications Training Officer (CTO)** - A professional Telecommunicator who demonstrates superior conduct, professionalism, knowledge, skills and abilities in the training of new hires.
- E. Telecommunicator Trainee** - Probationary employees hired as a Telecommunicator who is under the direct supervision of a CTO while learning the knowledge and skill sets needed to become a successful Telecommunicator.
- F. Certification Class** - As of October 2, 2012, the State of Florida requires all Telecommunicators to complete 232 hours of training and pass the State exam before being released as a solo Telecommunicator.
- G. Task Checklists** - Training tasks developed into a checklist to give the CTO a guide in training new Telecommunicators.
- H. Daily Observation Report (DOR)** - A standardized form consisting of categories of performance utilized for documenting the Trainee's performance on a daily basis. The DOR is maintained in the LEFTA program which is available to all CTO's.

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- I. Phase** - A period of training and evaluating the Trainee on a daily basis for 911/Call Taker, Teletype, and Police Radio.
- J. Training Day** - Routine days during each phase of training dedicated to on the job training. A full training day is considered seven hours.
- K. Remedial Training** - Additional training the Trainee receives after demonstrating an unacceptable level of performance in a specific category of the DOR.
- L. Orientation** - A program where Trainees are provided background and familiarization of General Orders, Operating Manuals, Organizational Components, and Command Structure.
- M. Evaluation of CTO** - The Trainee completes the evaluation at the end of each training phase that summarizes the perceived effectiveness of the assigned CTO.
- N. Evaluation of CTEP** - This evaluation solicits feedback from the Trainee on the perceived effectiveness of CTEP. The evaluation is completed approximately thirty days after the successful completion of the entire training program.

302.3 Responsibilities

A. CTEP Coordinator

The CTEP Coordinator is responsible for the CTEP within the Communications Center. He/She will ensure the Communications Training & Evaluation Program is strictly enforced and the evaluations are completed within the Standardized Evaluation Guidelines.

The CTEP Coordinator is responsible for ensuring the Communications Training Officers follow the guidelines of the CTEP as outlined in this manual.

1. Ensure DORs are submitted at the end of shift or the beginning of the Trainees next shift.
2. Review DORs for accuracy and completeness.
3. Approve and file completed DORs, return incomplete or inaccurate DORs to the CTO for correction.

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4. Monitor Trainee's activities through all phases of training.
5. Ensure each trainee's folder is up to date.
6. Schedule trainees with CTOs.
7. Schedule training meetings with trainees and CTOs.
8. Notify supervisors and CTOs of schedules.
9. Assist CTOs with remedial documentation.
10. Schedule training for CTOs.
11. Recommends termination to the Support Services Division Training Sergeant.

B. Communications Shift Supervisor

The Communications Shift Supervisor is responsible for monitoring the activities of the CTO and Trainee assigned to their shift. He/She is the first line in the chain of command for the CTO. The Shift Supervisors must be available to handle any problems or concerns that may arise in the event the Communications Manager is not available.

It is imperative the Shift Supervisor keep the CTEP Coordinator informed of any issues or concerns regarding the CTO and/or trainee. The CTEP Coordinator also will keep the Shift Supervisor informed of any issues or concerns regarding the CTO.

1. The CTEP Coordinator shall review the Daily Observation Reports for accuracy and completeness.
2. The CTEP Coordinator shall make recommendations concerning the trainee assigned to their shift.
3. The CTEP Coordinator shall evaluate the effectiveness of the CTO.

C. Communications Training Officer (CTO)

With benefits come additional responsibilities, expectations and accountability. If these are not met, the trainee and the CTEP will endure the consequences. The CTO will:

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1. Show the trainee the appropriate forms to use, where to find the form and how to complete the form properly. Show the trainee where to find and how to use all reference material.
2. Review all checklists daily with the trainee.
3. Arrange for a substitute CTO or training related assignments for preplanned unavailability. The Shift Supervisor, Communications Manager, and CTEP Coordinator must be notified through email.
4. Fill out all appropriate forms related to the training of a trainee (i.e. training DORs, end of phase DORs, Remedial Training Summary, etc.).
5. Utilize down time for training purposes. The CTO will not engage in extracurricular activities when a trainee is assigned. This includes but is not limited to "surfing" the internet for pleasure, texting/talking on cell phones, reading or playing games that is not related to training.
6. With the shift supervisor's approval due to minimum manning, take one hour off position to discuss DORs and other training issues with your assigned trainee.
7. Provide fair, honest, complete and accurate evaluations based on the trainee's actual ability and performance. Do not compare one trainee to another or a seasoned Telecommunicator.
8. Complete DORs at the end of shift or the beginning of the Trainee's next shift. This includes discussing the documentation with the trainee and submitting the DORs to the Shift Supervisor. The trainee needs to receive constant feedback.
9. Check email daily and ensure the trainee does the same.
10. Attend all CTO meeting and training sessions as scheduled.
11. Properly maintain the assigned laptop and notify the Communications Manager of any problems or malfunctions.

CTO expectations:

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1. The CTO will demonstrate professional behavior by abiding by and supporting departmental policies and directives, and City Administrative Code.
2. Show courtesy and respect to trainees, peers and supervisors.
3. Arrive for work and from breaks on time.
4. Will not use an excessive amount of leave time when assigned a trainee. Any training days missed must be made up to give the trainee every opportunity to succeed.

D. Telecommunicator Trainee

During training, the Trainee will be involved in a student/instructor relationship with various CTOs. **The Trainee will not be considered as part of manning.** Each Trainee will receive training in each phase of training (911/Call Taker, Police Radio, Teletype), demonstrating proficiency in all aspects of the job/assigned training phase.

Trainees may not answer any incoming call or handle any radio transmissions without a Communications Training Officer present. If the CTO leaves the area for any reason, the Trainee will not continue working unless another CTO steps in for the assigned CTO. The Trainee is responsible for:

1. The Trainee will demonstrate professional behavior by abiding by and supporting departmental policies and directives, and City Administrative Code.
2. Being prepared for duty.
3. Studying all training material in order to facilitate the learning process.
4. Making copies of each DOR and have available if requested.
5. Arriving to work and from breaks on time.
6. Notifying the Shift Supervisor of any situation which would cause him/her to miss work, regardless of the length of time. This is to include but not limited to calling in sick or late.
7. Trainees are encouraged to discuss any problems he/she may encounter during the training process with their CTO.

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8. If the problem cannot be resolved, or the Trainee is uncomfortable discussing the problem with their CTO, the Trainee is encouraged to talk to the Shift Supervisor or CTEP Coordinator.
9. Reading each DOR and signing to acknowledge receipt.

302.4 CTO Criteria

A. Position Vacancies - An announcement of position availability for CTO will be disseminated within the Communications Center and available for each employee's review.

1. The posting will indicate required knowledge, skills and ability for CTO.
2. The posting will indicate a scheduled closure date for applications, the requirements for application such as resume, memorandum of interest, or other requirements. The application deadline of not less than 14 calendar days.
3. The selection process will be in accordance with Department General Order Intra-Agency Selection Process. [<GO 410>](#)

B. Qualifications

1. Be APCO Communications Training Officer certified; or attend the next available class.
2. Full time Telecommunicator, not on probation and completed all phases of training.
3. Must demonstrate exemplary work ethics; integrity, sense of responsibility, having initiative, sense of teamwork.
4. Must demonstrate outstanding working knowledge of Communications policy and procedures.
5. Must display excellent customer service skills with callers and interpersonal skills with co-workers.
6. Must have effective written skills and be able to communicate as an instructor.

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7. Submit a memo of intent to the Communications Manager.
 8. "Meets Expectations" or higher evaluation from previous year.
 9. Positive review of applicant's disciplinary actions, performance log and absentee record.
 10. Recommendation from the Shift Supervisors.
- C. Termination of CTO Status** - CTOs will be released from the CTEP for the following reasons:
1. **Voluntary Resignation** - The CTO making a written request to the Communications Manager resigning from CTEP.
 2. **Involuntary Termination** - The causes for CTO termination in the CTEP may include, but are not limited to the following deficiencies:
 - a. Unsatisfactory Performance documented in the CTOs performance log book.
 - b. Inability to provide accurate, complete and timely Trainee evaluations or DORs.
 - c. Reluctance or refusal to accept assignments.
 - d. Failure to attend CTO meetings.
 - e. Violations of Department General Orders, Operating Manuals, Directive Memoranda, or other orders.

302.5 Overview of Communications Training & Evaluation Program (CTEP)

A. Program Overview

1. Program Duration -

- a. **Phones & Teletype** - Each phase of training is four to six weeks plus one additional week for the final evaluation (Check-Off) period. *A Trainee must have a minimum of 20 DOR's of evaluated training.*

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- b. Radio** - Each phase of training is six to eight weeks plus one additional week for the final evaluation (Check-Off) period. *A Trainee must have a minimum of 30 DOR's of evaluated training.*
- 2. Rating Frequency** - A Daily Observation Report is completed daily. The DOR gives the Trainee constant feedback on his/her performance. The DOR is maintained in the LEFTA program which is available to all CTO's.
- 3. Trainee Status** - The Trainee will not operate or function on their own when assigned under the direct supervision of a CTO or Supervisor.
- 4. Time Provided for Evaluation and Training Blocks** - Time will be provided for the CTO to teach academic topics, do remedial training, complete practical exercises, simulations away from a live position and review the daily evaluations with the Trainee when time permits.
- 5. Training Phase Extension** - When a deficiency is considered to be remediable, extensions may be granted. Trainees may be extended up to two weeks provided established criteria are met.
- 6. Observation Day** - The first day of each training cycle will be an "observation day." This time is used to familiarize the Trainee to the new CTO and surroundings. A Daily Observation Report will be completed to document the observation time. The Trainee skills, knowledge or abilities will not be evaluated on the observation day.
- 7. Daily Observation Report** - A Daily Observation Report will be completed for each day the Trainee is assigned in a training phase. Should the CTO or Trainee not be available for training on a given day, a Daily Observation Report will document the missed training day. Missed training days will not count against the Trainee's phase training time.
- 8. Evaluation Check-Off Phase** - The End of Phase evaluation (check-off) provides real-life experience evaluation of the Trainee's ability to function without direct supervision.
- 9. Management Review of CTO Performance** - The Shift Supervisor will evaluate CTO performance to ensure proper instruction and teaching methods are administered and the Trainee performance is documented comparatively.
- 10. Multiple Levels and Methods of Performance Evaluation** - The CTO completes a DOR daily, quizzes the Trainee to make sure they are

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learning at the appropriate pace and completes a Task Checklists for review by the Shift Supervisor prior to the Trainee entering the Check-Off week.

11. Training the CTO - The CTOs will receive training on new and updated procedures and may attend approved outside training classes. All CTO training will be documented. CTO training records go to Department's Training Unit for maintenance

12. Trainee Evaluation of the CTO - The Trainee will complete an evaluation of the training and CTO within five work days following Check-Off. The evaluation form will identify specific areas that will be addressed. This evaluation will be provided directly to the Communications Manager.

B. Standardized Training - All Trainees will receive the same opportunity to be successful. Standardized training is a method of teaching basic and advanced skills to employees in such a manner that all Trainees are exposed to the same information in a similar manner, evaluated with similar evaluation tools under similar conditions, remediated for deficiencies in performance and behavior in a similar manner, and afforded the same opportunities to learn as other employees.

1. Characteristics of a Standardized Training Program

- a. Program procedures will be defined in writing, clearly identifying who is responsible for oversight of the training program. The responsibility and the authority of Communication Training Officer and Communications Shift Supervisor or other designated training staff will be clearly identified and they will have a clear understanding of how the Program operates.
- b. Training lesson plans and other training material will be maintained and regularly updated. The normal review and update for lesson plans is 18-24 months, with rewrites as applicable.
- c. Evaluation tools must follow policies, procedures and job tasks. Tests and simulations must come directly from the training material and relate to the job tasks.

2. Benefits of Standardized Training

- a. Standardized training is court defensible and EEOC consistent.

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- b. Standardized training provides each employee the same training experience and opportunity for success. Remediation is planned and used when necessary with the goal of helping the employee succeed.
- c. Standardized training promotes professionalism.
- d. Standardized training promotes a more effective learning environment. Through the standardization process, unnecessary topics are eliminated and essential topics are streamlined.
- e. Remedial training needs are recognized quickly and can be effectively administered.
- f. The CTO will use Standardized Evaluation Guidelines when completing the Daily Observation Report.
- g. When a Trainee is assigned to another CTO, other than their assigned CTO, the temporary CTO will complete a Daily Observation Report which will be reviewed through the LEFTA program by the regular CTO.

3. Standardization Elements

- a. **Daily Observation Report** - The DOR provides immediate, accurate and objective feedback to the trainee for each operational shift.
- b. **Standardized Evaluation Guidelines** - SEGs are designed to give the CTO specific definitions to evaluate a trainee's behavior and performance objectively.
- c. **Task Checklist** - A task checklist uses department specific tasks and competencies to document the training process.
- d. **Trainee Rotation** - Trainees should experience all shifts, on all days of the week, including rotating between CTOs. A rotation schedule to different shifts on all days of the week is imperative to the success of the trainee. Rotation between CTOs must be done with care and revolve around the needs of the trainee.
- e. **Testing** - Periodic testing captures actual knowledge, skills and ability to perform, and it provides evidence of compliance with training expectations and guidelines. Testing can be in the forms of written quizzes, exams, practical test and/or OJT skills test.

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- f. **Final Evaluation** - Also known as the “check-off phase”, the last week of a training phase. During this evaluation, no formal training is delivered. The trainee’s performance is observed and rated according to the SEG for solo assignment.
4. **Training Phases** - The CTEP consists of three phases of training which encompasses the topics below. The first day of training in any assigned phase of training will be used as an observation day.
- a. **911/Call Taker** - Daily Observation Reports are completed by the primary CTO. The first day is considered an observation day and no numerical ratings will be indicated. This phase is designed to teach the Trainee the basic structure and objectives of the Communications Center, the Computer Aided Dispatch System, the 911 System and the administrative telephone system. The Trainee will be evaluated on their knowledge, skills and ability to perform the duties of a 911/Call Taker.
 - b. **Police Radio** - Daily Observation Reports are completed by the primary CTO. The first day is considered an observation day and no numerical ratings will be indicated. This phase is designed to teach the Trainee the procedures for dispatching police calls for service, the Computer Aided Dispatch System, and the 800 MHz Radio System. The Trainee will be evaluated on their knowledge, skills and ability to perform the duties of a Police Radio Dispatcher.
 - c. **Teletype** - Daily Observation Reports are completed by the primary CTO. The first day is considered an observation day and no numerical ratings will be indicated. This phase is designed to teach the Trainee the operating procedures for the Teletype as outlined by the Florida Department of Law Enforcement. The Trainee will be required to attend a CJIS Certification class and pass the test within six months of employment.
 - d. **Pass/Fail Possibilities** - All training phases are pass/fail. If the Trainee is not progressing and is not able to perform the duties and requirements of the position, with or without remedial training, they may be recommended for termination. The Trainee’s pass/fail and or demonstration of proficiency in the various required tasks are recorded on Daily Observation Reports.

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- e. **Final Evaluation (Check-Off)** - Check-off is the final week of each phase of training where the CTO evaluates the Trainee's performance as a "solo" Telecommunicator. The CTO acts as an observer.
 1. The Trainee enters the check-off phase only if they have performed at an acceptable level for one week prior to the check-off week. All documentation and checklists shall be completed and the Communications Manager shall approve the Trainee entering into check-off.
 2. The Trainee must demonstrate a minimum level of competency in all of the rating categories according to accepted standards of performance.
 3. The CTO will document this phase on the final DOR:

(Trainee's name) has completed all requirements of the (911/Call Taker, Police Radio or Teletype) position and is performing at an acceptable level in accordance with established guidelines.
 4. The Trainee will not be released from training and assigned to a shift until all DORs are completed and accounted for by the CTEP Coordinator.
- f. **Valid Training Days** - To be credited for a valid training day, the Trainee must be assigned to an appointed Communications Training Officer during their assigned shift. A DOR will be completed for each day of training. Trainees will not be transferred to the next phase of training with less than the required minimum training time in that phase. Training days missed due to sick days, pre-approved leave time, etc., may be made up at the end of the training phase. A full training day is **seven** hours. A *minimum of 20 days or 140 hours* of training is required before advancing to check-off.
- g. **Accelerated Phases (Fast Tracking)** - With written approval (email may fulfill written requirement) from the Communications Manager, a Telecommunicator Trainee with a minimum of two years prior public safety communications experience as a 911/Call Taker/Dispatcher may be accelerated in the Communications Training & Evaluation Program (CTEP). This process, called "Fast Tracking" reduces the number of training days and Daily Observation Reports (DOR) and moves an experienced and competent Trainee thru the CTEP to solo status faster. Fast

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Tracking is strictly voluntary on behalf of the Trainee. To qualify for consideration, the Trainee must:

1. Have a minimum of two (2) years prior public safety communications experience in the capacity of a 911/Call Taker/Dispatcher.
2. Have satisfactorily completed the assigned phase of training with no, or minimal performance problems. If Fast Tracking more than one Phase, the Trainee must have completed a full and comparable Training Program at a prior agency. The Trainee must provide to the Communications Manager supporting documentation to include, but not limited to, all copies of DORs and the Final Evaluation releasing the Trainee to solo status from the prior agency.
3. Have reviewed and signed-off on all Task Checklists.
4. Have completed and passed all End-of Phase exams.
5. Be performing at solo performance capability.
6. To be considered, the Trainee must submit an email thru the CTO to the CTEP Coordinator requesting Fast Tracking. The CTO will respond to the email and either recommends Fast Tracking or continuation in the standard process.
 - a. The CTEP Coordinator will review the Trainee's file and documentation from the previous agency. If the Fast Tracking is considered satisfactory, the CTEP Coordinator shall forward an email to the Communications Manager and Commander for approval.
 - b. If the Trainee's performance in any phase of training shows indications that he/she is not performing to the standards of a solo Telecommunicator, the Trainee will be placed back into the Phase from which he/she was Fast Tracked. Training days that were completed during Fast Tracking will count towards the standard phase of training.

5. Performance Evaluations

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1. The focus of the Communications Training and Evaluation Program (CTEP) is the evaluation of performance of new hires in training.
 - a. Trainees are evaluated as outlined in this manual. Several different evaluation forms are used to accomplish this task.
 - b. The Trainee must understand the purpose of the evaluation system. It must be seen as a learning tool, a motivating method, and a way to provide performance and behavior feedback.
 - c. All evaluations are prepared by the CTO. The CTO and the Trainee shall review and sign the evaluations prior to review by the CTEP Coordinator.
2. **Daily Observation Reports (DOR)** - The DOR is used to document a Trainee's performance and behavior during an observed training period.
 - a. The assigned CTO completes a DOR on all scheduled training days.
 - b. The DOR is designed to give the Trainee immediate, objective feedback.
 - c. The DOR provides documentation of the strategy for training. The Communications Manager reviews the DOR to evaluate how the CTO rates each category ensuring the ratings reflect the Trainee's performance.
3. **Progress Tracking** - The Progress Tracking is used to document the progress of a Trainee. The Progress Tracking is available in the LEFTA program. The Progress Tracking is useful in determining a need for remedial training.
4. **Evaluation of CTO** - Trainee evaluation of the CTO is a tool used by the agency to ensure the CTO is performing within the approved guidelines and agency policy.

302.6 Daily Observation Reports (DOR)

A. General

1. The DOR is used to document the evaluation of a Trainee's performance and behavior in an objective, organized manner.

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2. The DOR is a permanent record of a Trainee's progress, weaknesses and remedial efforts.
3. The DOR is divided into five major categories that cover the range of skills necessary to become a proficient Telecommunicator.
 - a. By the end of each training phase the Trainee is expected to develop their skills to meet the minimum acceptable level as described in the Standardized Evaluation Guidelines.
 - b. A Trainee's performance is evaluated through observation of actual behavior and performance, through simulated behavior and performance, or through verbal, written or simulated testing.

B. Instructions for Completing the DOR - The CTO is required to complete the appropriate sections of the DOR using the Standard Evaluation Guidelines.

1. The DOR is assigned a sequential number starting with the first day of training and ending on the last day of training.
2. A DOR must be completed for each assigned training/work day to document the Trainee's performance and to document absence. When training does not occur on a scheduled training day, the DOR will reflect the "Reason for No Evaluation" (sick day, etc.). The trainee's activity for the day must be documented in the comments section of the DOR.
3. The shift assignment and training hours are documented for each day. The position assignment is document using terms like "911/Call Taker," "South or North Radio," and Teletype".
4. The term "T. R. Time" refers to Training Review Time. The T. R. Time is used for discussing or practicing certain deficient skills or other training activities. The time will be documented in minutes next to the appropriate DOR category.
5. **RATING INSTRUCTIONS:** Rate observed behavior with reference to the Standardized Evaluation Guidelines. Comment on any behavior observed. Specific comments are required for all unacceptable ratings. Document all remedial training provided.
6. This Manual describes the numerical rating used to indicate the Trainee's performance level for each observed category for the day.

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- a. The CTO indicates observed performance by checking the numbers “1”, “2”, “3”, “4”, “5”, “6”, or “7” on the DOR.
 - b. Performance ratings “1”, “2”, and “3” are unacceptable performance ratings, “4” is *ACCEPTABLE performance level*, and “5”, “6” and “7” are *exceptional performance*.
7. N.O. refers to “Not Observed”. The CTO will use N.O. to document any activity listed on the front of the DOR when an amply observe time for that category was not obtainable.
8. N.R.T. means “Not Responding to Training.” When applicable the CTO will assign a numerical rating in the column for that task/category.
 - a. An NRT is used when a trainee does not demonstrate improvement in a specific area of performance after being exposed to multiple training methods.
 - b. *T. R. Time* should *be* documented on a previous DOR prior to a Trainee receiving a NRT rating.
9. The back of the DOR form and subsequent forms are used to record trainer comments and descriptions of the day’s activities.
 - a. The *CAT#* refers to the category number that is being explained in the narrative. Next to the number of the category, the CTO writes narrative comments about the category.
 - b. The CTO will document goals for the Trainee to accomplish and comment on the progress of meeting stated goals.
 - c. The CTO and trainee are required to sign the DOR after reviewing it. The trainee must understand that signing the DOR does not mean the trainee accepts the ratings. It only means the trainee acknowledges the information on the DOR. The trainee may attach their comments to the DOR in LEFTA.
10. Daily Observation Report Narratives: A very important part of the trainee’s DOR is the narrative portion. The narrative should be *CLEAR*, *CONCISE*, *COMPLETE*, and *CORRECT*. The Standardized Evaluation Guidelines are used when completing every DOR. In preparation of writing effective narratives, consider these key factors for the purpose of outlining the trainee’s performance.

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- a. Set the stage. Provide a description of the condition or situation. Placing the trainee's actions in context.
- b. A good rule is to start with a positive comment, elaborate on the unacceptable ratings and areas of improvement, and end with a positive comment.
- c. Use verbatim quotations. This is particularly important when narrating what we might see as an attitude problem.
- d. DORs must have comments that are objective. Objective comments include facts and details, but draw no conclusion and do not provide opinions. Use quantitative measures such as the number of calls received/dispatched, the number of teletype inquiries/entries, etc.
- e. Check your grammar, spelling and the legibility of your writing. Avoid slang, jargon, swearing, etc. Avoid using terms such as, never, always, excellent, poor, needs to, should have, forgot to, had to, etc.
- f. Critique the performance or inability to perform a task or function. Never critique a personality (the person). Rudeness, being short or using sarcasm when communicating with others is an unprofessional performance factor and must be addressed.
- g. Think remedially: Assessment of the performance and individual are essential to providing a positive learning experience and motivating an individual to strive for success.
- h. DO NOT predict future performance and demoralize or set a Trainee up for failure. Praise should be given to instill confidence.
- i. DO NOT compare a Trainee with a seasoned dispatcher. A Trainee should not expect their performance to be at the level of a seasoned dispatcher.
- j. Do not use codes or signals in the DOR. Keep in mind that the person reading this document may be an attorney for a court case where understanding the narrative would be better for the reader and mentally draw a picture of the situation. This may prevent a CTO from being subpoenaed into court.

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11. The Daily Worksheet is used to document the calls handled by a trainee. The following information must be recorded on the DOR:
 - a. CFS # - Type of call.
 - b. Training topics discussed.
 - c. Any deficient area(s) or exceptional performance area(s).
12. The CTO and Trainee will sign pages of the daily observation report in LEFTA prior to submitting it to the CTEP Coordinator.
13. A CTO will monitor the Trainee's performance, using every means possible. ***The CTO cannot rate performance or actions they did not observe.***
14. **DOCUMENT, DOCUMENT, AND DOCUMENT: REMEMBER, IF IT IS NOT DOCUMENTED, THE ASSUMPTION IS - IT DID NOT HAPPEN**

302.7 Standardized Evaluation Guidelines <CTEP SEG's>

- A. The Standardized Evaluation Guidelines (SEG) provides specific guidelines for the CTO to follow and objectively evaluate a Trainee's behavior and performance. Evaluations based on established SEGs are considered valid and reliable.
- B. The Seven Point Scale defines three levels (1, 4 and 7) while four other points on the scale (2, 3, 5 and 6) all provide the CTO some latitude when rating.
 - The rating of "1" describes behavior that needs significant improvement for the category;
 - A rating of "4" describes the minimal acceptable behavior for an agency employee working solo;
 - A rating of "7" describes exceptional behavior.

C. Rating Uniformity

1. The most important factor to consider when using the Seven Point Scale is for uniformity by the CTOs in evaluating "unacceptable" behavior and performance and "acceptable" behavior and performance.

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- a. The “4” rating described in the SEG should clearly define the line between “acceptable” and “unacceptable.”
- b. It is most important that two CTOs uniformly observe behavior and performance as definitely “acceptable” or “unacceptable.”
- c. To ensure the ratings are consistent from daily and by each CTO, **the SEG will be used every time a DOR is prepared.**
 - Consistency and objectivity are enhanced when the guidelines are used during evaluation and when preparing a DOR.
 - Should a discrepancy or dispute occur in a certain category, the CTO will use the values defined in manual to illustrate whether the rating matches the observed behavior or performance.

302.8 Remediation - Remedial Training is intended to provide additional training methods and efforts for the Trainee to learn a task when the routine daily training has not achieved the desired results. Remedial training should be viewed as positive reinforcement.

A. Circumstances - A Trainee may need remedial training when he or she displays a weakness in performance of a task. Remedial training may be provided if:

1. There is a specific, identifiable problem.
2. During the assigned training phase the Trainee has shown some progress in the weak area(s).
3. The CTO recommends additional training and has provided a written remedial training plan to correct the problem.
 - a. The plan must identify the deficiency, what training techniques have been employed up to this point, and what additional methods may be useful during the extended training phase that should bring positive results and correct the deficiency.
 - b. Identify expectations that must be achieved during the extended training phase.

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- c. The approved remedial training plan must be documented and signed by the Trainee, CTO, and CTEP Coordinator. The Trainee must be afforded an opportunity to understand the reason and need for additional training.
- 4. The CTO must reasonably believe that additional training will correct the problem within the scheduled time.
- 5. A problem area is identified during the final evaluation.
- B. CTO Assignment for remedial training** - The Trainee may be reassigned to another CTO to address their deficiencies with additional training. At the successful completion of the extended training period, the Trainee will return to where they left off in training.
- C. Final Evaluation Phase** - When a Trainee advances to the final evaluation phase and does not meet standards, the Trainee may be placed in a remedial training status, if they have not already had extended training in the position, for additional training. The additional training time will not exceed the two-week maximum time allotted for each phase.
- D. Daily Observation Reports** - Daily Observation Reports will document the amount of remedial time spent in each category.
 - 1. In documenting the course of action as outlined in the remedial plan, it is essential to record:
 - a. What was explained to the Trainee.
 - b. The training method used by a CTO to demonstrate the task.
 - c. How the Trainee demonstrated their ability to correct the deficiency.
- E. Remedial Training Strategies**
 - 1. **Flash Cards** - Flash cards may enhance the learning process because more than one "learning sense" is used. Flash cards are particularly effective with such areas as signals, ten codes, form selection, landmarks, etc.
 - 2. **Commentary Thinking** - This technique may be useful for Trainees who know what to do, but their thought patterns become muddled once subjected to stressful conditions.

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- a. Commentary thinking is simply thinking aloud. Trainees are encouraged and expected to talk out their thoughts and present them to the CTO in a clear and logical manner.
 - b. An important benefit derived from this method of putting thoughts and actions in sequential order slows the thought processes to prevent “overload.” Trainees may find themselves in an uncomfortable situation where their minds race so fast that their actions are not balanced. This process will also have a calming effect and reduce stress.
- 3. **Automated maps** - This technology may help the Trainee understand how to read a map and understand the information.
 - a. One of the most effective methods is to ask the Trainee to provide directions from one location to another utilizing the automated mapping program.
 - b. Test the Trainee by assigning several locations (landmarks, intersections) and have them identify the tactical zone and locate it on the map.
 - c. If the Trainee is experiencing a problem recognizing the main intersections, give them a blank map and have them fill in the street names.
- 4. **Spelling Quizzes** - The CTO should give the Trainee a list of their misspelled words and schedule a test. One of the best methods of teaching correct spelling is to have the Trainee write the words repeatedly.
- 5. **Role Playing** - Simulated exercises are developed to be as realistic as possible. The Trainee should always be aware of simulated training exercises.
- 6. **Role Reversal** - This technique is useful when the Trainee fails to understand when they are doing a task incorrectly. In role reversal the CTO reverses roles with the Trainee. The Trainee then observes and evaluates the CTO completing a task in the same incorrect manner. The Trainee is then required to critique the CTO and offer suggestions for improvement.

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7. **Self-Evaluation** - This is an excellent technique, especially valuable for use with Trainees who may be having difficulty accepting the criticism.
 - a. The CTO begins the shift by giving the Trainee a copy of the DOR and tells the Trainee to complete an evaluation report on them at the end of the shift. The CTO will also complete one. The Trainee's self-evaluation should be reviewed by the CTO and the Trainee.
 - b. The difference between the two evaluations should be discussed honestly, steering the outcome toward accepting constructive criticism. This technique has a way of opening the Trainee's eyes to their problems. Self evaluations should be used as a last resort to prevent losing its positive effective.
8. **Audio Tapes** - Audio tapes documenting the Trainee's performance in any phase of training can be a useful tool. The Trainee can critique their own performance, identify their mistakes and discuss the correct procedure for handling the situation.
9. **Reference Notebook** - Encourage the Trainee to create a notebook for reference material and to have it readily accessible.
10. **Summary** - CTOs must constantly be aware that hands-on training is far more effective than any other method for most Trainees. To learn, Trainees must be involved in the learning process. Simply "telling" Trainees how to complete a task will not ensure learning has taken place. CTOs must present problems and ask open ended to understand how the Trainee solves problems. The CTO is encouraged to use their imagination, for any training strategy is a valuable one if it:
 - a. Is not demeaning or dangerous.
 - b. Is designed to cause learning.
 - c. Does not expose the CTO or the Department to liability.
 - d. Is received well by the Trainee.

302.9 Documentation and Record Keeping

A. Trainee Files and Records

1. Documentation of creates a written history of the Trainee's progress.

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- a. The documentation must contain enough information to reconstruct the training process.
 - b. Should there be a legal action involving a Trainee's training process, the only way to reconstruct their training is through the documentation.
2. When a Trainee is hired, a training file is created for each phase of training. The file will contain all records of the training process. It should include at a minimum:
 - a. All academic records, including quizzes, tests and written practical exercise evaluations.
 - b. All Daily Observation Reports (DORs) in sequential order.
 - c. Copies of all correspondence, memos, and other notifications directed to or received from the Trainee.
3. Trainee files should include documentation on:
 - a. Incidents of interest, positive and negative, that are not documented on a DOR.
 - b. Incidents and information from the academic phases that would normally be documented on a DOR.
 - c. Missed or incomplete assignments.
 - d. Training time missed due to illness or other personal emergency, with explanation.
 - e. Remedial efforts that are not otherwise documented.
 - f. Extra assignments that are not otherwise documented.
 - g. Coaching session results that are not otherwise documented.

B. Tracking Trainee Progress

1. Progress through the training process must be tracked to identify training trends. It is the most important documentation to keep because it summarizes training efforts.

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2. Trainee progress should be tracked on a daily basis. Tracking helps to identify weaknesses quickly so remedial training can be determined. Tracking also identifies areas where the Trainee excels.
3. Progress Tracking is available in the LEFTA program.

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Subject: Communications Center Call Taker Guidelines for Missing & Sexually Exploited Children	OME: 302	
Rescinds:	CFA 5th:	Revised: 07/18/14
Reference:		

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302.7	<u>Quality Assurance Standard</u>

302 Purpose - To provide procedures Communications Center call takers when handling calls pertaining to Missing and Sexually Exploited Children. Whenever a child is believed to be in danger individuals are instructed to call 911. Recognizing the importance of that initial call, the purpose of this procedure is to establish best-practice guidelines and responsibilities regarding the Communications Center's response to reports of missing and/or sexually exploited children (Based on ANSI - approved Standard for Public-Safety Telecommunicators when Responding to Calls of Missing, Abducted and Sexually Exploited Children). Printed checklists book are available at each position. Refer to [GO 228](#) Missing & Abducted Children.

302.1 Background - Communications call taker procedures when handling calls pertaining to missing and sexually exploited children are important. This procedure attempts to present the missing and/or sexually exploited child response process in a logical progression from the initial call through the first response.

- A.** It is the procedure of the Communications Center to take immediate and necessary action for all reports of missing and/or sexually exploited children.

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Additionally this agency holds that every child reported as missing and/or sexually exploited will be considered "at risk" until significant information to the contrary is confirmed.

- B.** Jurisdictional conflicts are to be avoided when a child is reported missing and/or sexually exploited. If a missing or sexually exploited child either resides in, or was last seen in our jurisdiction, the Communications Center will immediately initiate a call for service. If a child resides in this jurisdiction and was last seen in another jurisdiction, but the law-enforcement agency covering that jurisdiction chooses not to take a missing child report, this agency will assume reporting and investigative responsibility to include working closely with law enforcement whose jurisdiction the child was last seen.
- C.** Questions concerning parental custody occasionally arise in relation to missing child reports. It shall be the policy of this agency to accept the report of a missing child even if custody has not been formally established. Reporting parties shall be encouraged to obtain legal custody as soon as possible however, since the safety of the missing child(ren) is paramount, members of this agency will open a case when it may be shown the child has been removed, without explanation, from his or her usual place of residence.

302.2 Procedure

A. Expectations

- 1. The call taker will gather enough information to determine an appropriate response consistent with agency policy pertaining to the missing and/or sexually exploited child incident.
- 2. The focus of the call taker should not be whether or not the case will qualify for an AMBER Alert. The AMBER Alert Program does not supersede or in any way replace the core functions of law enforcement operational and investigative response.
- 3. The call taker is trained and qualified to recognize basic call-handling and intake policies within his or her agency

B. Guiding Principles and Values

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1. Professionalism
2. Compassion
3. Respect
4. Patience
5. Commitment to Accuracy and Detail
6. Commitment to follow-through and accountability (Quality Assurance)

C. Initial Intake

1. Obtain and verify incident location along with call back and contact information
2. Maintain control of the call
3. Communicate the ability to help the caller.
4. Methodically and strategically obtain information through systematic inquiry to be captured in the agency's intake format.
5. Recognize the potential urgency of the missing-child incident and immediately begin the proper notification consistent with agency policy.
6. Perform all information entries and disseminations, both initial and update. This includes mandatory entry of information about the missing child into the Federal Bureau of Investigation's (FBI) National Crime Information Center's (NCIC) databases accurately, including vehicle if known.

D. Instructions

1. The following protocol is intended as a solid framework for call intake but should not in any manner rescind or override agency procedures for the timing of broadcasts and messaging.
2. All information should be simultaneously entered, as it is obtained by the telecommunicator, into an electronic format when available, that will feed/populate any directed messages which will be sent to law enforcement in conjunction with on-air broadcasts.

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3. Preferably, when an AMBER Alert request for activation intake form is used, this initial entry should be set-up to automatically populate that format as well to avoid double entry.
4. The checklist noted below shall be used to help ensure the appropriate information is obtained. The call taker should feel free to obtain additional information as needed.

302.3 First Response Checklist for Call Takers

A. Where is the location of the incident?

1. Request exact location of the incident such as structure addresses, street names, intersections, directional identifiers, and mileposts along with call back information.
2. If specifics are not known request landmarks or estimated proximity to landmarks.
3. Tell caller and any witnesses to remain at current location, unless determined unsafe, until law enforcement arrives. Obtain names and location of the caller and any additional witnesses.

B. What is the Emergency?

1. Ascertain exactly what happened.
2. Determine if there are any injuries
3. Ask if weapons were involved.
4. If reported as an abduction continue to the next page
5. If reported as lost, injured, or otherwise missing, refer to Checklist for Calltakers.
6. If reported as a runaway refer to Checklist for Calltakers.
7. If reported as child sexual exploitation refer to Checklist for Calltakers.

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302.4 Abductions (Refer to Signal 32)

A. Definitions

1. **Nonfamily Abduction** involves a child who has been wrongfully taken by a nonfamily perpetrator through the use of physical force, persuasion, or threat of bodily harm.
2. **Family Abduction** occurs when, in violation of a custody order, a decree, or other legitimate custodial rights, a member of the child's family, or someone acting on behalf of a family member, takes or fails to return a child. This is also referred to as parental kidnapping and custodial interference.

B. Time Frames

1. When did this happen? Determine if in progress or not.
2. Where was the child last seen?
3. Who was the child last seen with?
4. Who last saw the child?
5. Descriptions and names, if known, of child and suspect
6. Vehicle descriptions
7. Direction of travel
8. Relationships between child, suspect, and caller.
9. If in progress, broadcast available information to patrols immediately!
10. Maintain telephone contact with caller until law enforcement arrives at the scene.

C. Suspect

1. Name
2. Sex
3. Race
4. Age/Date of birth (DOB)
5. Primary language
 - Proficiency in English?
6. Height
7. Weight
8. Hair
9. Eyes

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10. Complexion

11. Physical attributes such as marks, scars, tattoos, or limp.

12. Clothing

- Head to Foot, Outer to Inner
- Hat/head
- Coat
- Shirt
- Pants/shorts
- Shoes
- Socks
- Any unique identifiers such as color, logo, or wording?

13. Is the child familiar with the suspect?

- If a relative, what relation?
- Who all allegedly has custody? Any custody disputes?

14. Weapons involved/possessed?

15. History of violence or mental illness?

16. Does the suspect have a cellular telephone **(DO NOT have anyone try to call the cellular telephone. This information needs to be immediately forwarded for investigative follow-up)**

17. Assist responding law enforcement with as thorough background information as soon as possible.

- Any and all prior entries about suspect, child, family, location, or proximity of incident.
- Any suspicious activity in the area/ any History of attempted abductions in the area?
- This should include any prior activity with your agency, surrounding agencies, Internet searches, and/or National Sex Offender Public Registry.
- Wait for direction from the investigating officer before contacting the National Center for Missing & Exploited children at 1-800-THE-LOST (1-800843-5678) to register the case and inquire about known sex offenders in the area, as well as any history of attempted abductions in the area.

D. Child

1. Name
2. Sex
3. Race

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4. Age/DOB
5. Primary language
 - Proficiency in English?
6. Height
7. Weight
8. Hair
9. Eyes
10. Complexion
11. Physical attributes such as marks, scars, tattoos, or limp
12. Clothing
 - Head to Foot, outer to inner
 - Hat/head
 - Coat
 - Shirt
 - Pants/shorts
 - Shoes
 - Socks
 - Any unique identifiers such as color, logo or wording?
13. Was the child with anyone such as an adult, child, or pets?
14. Was anyone injured?
15. Medications being taken, medical conditions, mental or physical disabilities
16. Does the child have a cellular telephone? **(Do Not have anyone try to call the cellular telephone. This information needs to be immediately forwarded for investigative follow-up.)**

E. Vehicle

1. C.Y.M.B.A.L.S.
 - Color
 - Year
 - Make
 - Model
 - Body
 - Additional descriptors such as rust, dents, other damage, or stickers
 - License Plate
 - ♦ If available, initiate plate/tag inquiry
 - State

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2. Ascertain any upgraded onboard technology such as OnStar, LoJack, or any onboard navigation systems.

302.5 Lost, Injured, or otherwise Missing (LIMs) (Signal 8 Juvenile)

A. Definition - The Lost, Injured, or Otherwise Missing child is defined as a child who has disappeared under unknown circumstances. The incident may range from the child wandering off and becoming lost to the child being abducted, but nobody witnessed the act. These circumstances sometimes involve "Foul play," where those reporting the incident are attempting to cover up a crime involving the child.

B. Time Frames

1. When and where was the child last seen?
 - Any special regional consideration such as wildlife, weather, or wilderness?
2. Who was the child last seen with?
3. Who last saw the child?
 - Is the answer to Number 2 and 3 the same?
 - Help ensure information is conveyed to investigative personnel.
 - Complete background on this person for investigative personnel.
4. Was the child walking or using an alternate mode of travel such as a bicycle, skateboard, or vehicle?
5. Direction of travel?
6. Any suspicious circumstances?
7. What steps have been taken to locate this child?
8. Has this ever happened before?
9. What is the caller's relationship with the child?

C. Child

1. Name
2. Sex
3. Race
4. Age/DOB
5. Primary language
 - Proficiency in English?
6. Height
7. Weight

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8. Hair
9. Eyes
10. Complexion
11. Physical attributes such as marks, scars, tattoos, or limp
12. Clothing
 - Head to foot, outer to Inner
 - Hat/head
 - Coat
 - Shirt
 - Pants/Shorts Shoes
 - Socks
 - Any unique identifiers such as color, logo, or wording?
13. Is the child familiar with this person?
 - If a relative, what relation?
 - Who allegedly has custody? Any custody disputes?
14. Weapons involved/possessed?
15. History of violence or mental illness?
16. Does this person have a cellular telephone? **(DO NOT have anyone try to call the cellular telephone. This information needs to be immediately forwarded for investigative follow-up.)**
17. Assist responding law enforcement with as thorough background information as soon as possible.
 - Any and all prior entries about suspect, child, family, location, or proximity of incident.
 - Any suspicious activity in the area? Any history of attempted abductions in the area?
 - This should include any prior activity with your agency, surrounding agencies, Internet searches, and/or National Sex Offender Public Registry.
 - Wait for direction from the investigating officer before contacting the National Center for Missing & Exploited children at 1-800-THE-LOST (1-800-843-5678) to register the case and inquire about known sex offenders in the area, as well as any history of attempted abductions in the area.

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D. Vehicle

1. C.Y.M.B.A.L.S.

- Color
- Year
- Make
- Model
- Body
- Additional descriptors such as rust, dents, other damage, or stickers
- License Plate
 - ◆ If available, initiate plate/tag inquiry
- State

2. Ascertain any upgraded onboard technology such as OnStar, LoJack, or any onboard navigation systems.

302.6 Runaway or Thrownaway (Signal 8 Juvenile)

A. Definitions - The **Runaway** child, often a teenager, leaves home voluntarily for a variety of reasons. This would include any child 17 years of age or younger. The **Thrownaway** is a child whose caretaker makes no effort to recover the child after running away, who has been abandoned or deserted, or who has been asked to leave his or her home, children in this category frequently come to the attention of law enforcement.

B. Time Frames

1. When and where was the child last seen?
 - Any special regional considerations such as wildlife, weather or wilderness?
2. Who was the child last seen with?
3. Who last saw the child?
4. Was the child walking or using an alternate mode of travel such as a bicycle, skateboard, or vehicle?
5. Direction of travel?
6. Any suspicious circumstances?
7. What steps have been taken to locate this child?
 - School - (School Resource Officer?)
 - After-school activities, sports?

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8. Has this ever happened before?
9. What is the caller's relationship with the child?
10. Any ideas or suspicions about where the child may have gone?
11. Any notes, letters, or threats pertaining to this incident?

C. Child

1. Name
2. Sex
3. Race
4. Age/DOB
5. Primary language
 - Proficiency in English?
6. Height
7. Weight
8. Hair
9. Eyes
10. Complexion
11. Physical attributes such as marks, scars, tattoos, or limp
12. Clothing
 - Head to foot, outer to Inner
 - Hat/head
 - Coat
 - Shirt
 - Pants/Shorts Shoes
 - Socks
 - Any unique identifiers such as color, logo, or wording?
13. Was the child with anyone such as an adult, child, or pets?
14. Medications being taken, medical conditions, mental or physical disabilities?
15. Does the suspect have a cellular telephone? **(DO NOT have anyone try to call the cellular telephone. This information needs to be immediately forwarded for investigative follow-up)**

D. Companion or Suspect

1. Name
2. Sex
3. Race
4. Age/Date of birth (DOB)

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5. Primary language
 - Proficiency in English?
6. Height
7. Weight
8. Hair
9. Eyes
10. Complexion
11. Physical attributes such as marks, scars, tattoos, or limp.
12. Clothing
 - Head to foot, outer to Inner
 - Hat/head
 - Coat
 - Shirt
 - Pants/Shorts Shoes
 - Socks
 - Any unique identifiers such as color, logo, or wording?
13. Is the child familiar with this person?
 - If a relative, what relation?
 - Who allegedly has custody? Any custody disputes?
14. Weapons involved/possessed?
15. History of violence or mental illness?
16. Does this person have a cellular telephone? **(DO NOT have anyone try to call the cellular telephone. This information needs to be immediately forwarded for investigative follow-up)**
17. Wait for direction from the investigating officer before contacting the National Center for Missing & Exploited Children at 1-800-THE-LOST (1-800-843-5678) to register the case.
18. Assist responding law enforcement with as thorough background information such as Computer Aided Dispatch (CAD) history or from other available resources as soon as possible.

E. Vehicle

1. C.Y.M.B.A.L.S.
 - Color
 - Year
 - Make
 - Model
 - Body

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- Additional descriptors such as rust, dents, other damage, or stickers
 - License Plate
 - ◆ If available, initiate plate/tag inquiry
 - State
2. Ascertain any upgraded onboard technology such as OnStar, LoJack, or any onboard navigation systems.

302.7 Quality Assurance Standard

- A. Any calls received where a case number is pulled for Missing, Abducted or Sexually Exploited Children will be pulled and reviewed for Quality Assurance and compliance to the ANSI standard.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Professional Conduct		Order No: 401
Rescinds: GO 401 Revised: 06/13/16	CFA 5 th : 2.03, 2.04, 2.07, 7.01, 7.08	Revised: 01/31/19
Reference: GO 402, Discipline Matrix		
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401 Policy

This directive provides rules for on and off duty conduct and will apply to *all* members, whether sworn or civilian, unless specifically stated otherwise, or unless a certain provision obviously would not apply to a particular class of members.

401.1 Standard of Conduct - The Law Enforcement Code of Ethics is adopted as a general standard of conduct for all members of the Agency.

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<u>Law Enforcement Code of Ethics</u>	

As a Law Enforcement Officer, my fundamental obligation is to protect the constitutional rights and freedoms of the people I have been sworn to uphold.

While I consider the way I choose to conduct my private affairs a personal freedom, I accept responsibility for my actions, as well as inactions, while on duty or off duty, when those actions bring disrepute on the public image of my employer, my fellow officers and the law enforcement profession.

I vow to perform my duties in a professional and competent manner. I consider the ability to be courageous in the face of danger and to exercise restraint in the use of my powers and authorities to be held in the ultimate public trust. I accept that I must consistently strive to achieve excellence in learning the necessary knowledge and skills associated with my duties. I will keep myself physically fit and mentally alert so that I am capable of performing my duties according to the standards of quality expected of my position.

I vow to be fully truthful and honest in my dealings with others, and I deplore lies and half-truths that mislead or do not fully inform those who must depend upon my honesty. I will obey the very laws that I am sworn to uphold. I will seek affirmative ways to comply with the standards of my Department and the lawful directions of my supervisors.

I vow to treat others with courtesy at all times. I consider it to be a professional weakness to allow another's behavior to dictate my response. I will not allow others' actions or failings to be my excuse for not performing my duties in a responsible, professional and expected manner.

I vow to empathize with the problems of people with whom I come into daily contact. However, I cannot allow my personal feelings, prejudices, animosities, or friendships to influence the discretionary authorities entrusted to my job. I will affirmatively seek ways to avoid conflicts and potential conflicts of interest that could compromise my official authority or public image.

I hold the authority inherent in my position to be an affirmation of the public's trust in me as a law enforcement officer. I do not take this trust lightly. As long as I remain in this position, I will dedicate myself to maintaining this trust and upholding all the ideals of the law enforcement profession.

401.2 Oath of Office - All sworn law enforcement are required, prior to being sworn, to take the attached [**oath of office**](#).

401.3 Responsibilities

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- A. Laws, Rules, and Orders** - Members will not commit or omit any act(s) when such commission, or omission, would constitute a violation of any federal, state law or local ordinance. Members will not commit or omit any act(s) when such commission or omission would constitute a violation of Agency policy, rule, regulation, directive or order. This is applicable to all members, whether on or off duty, and whether inside or outside the City. This section does not include isolated, non-criminal traffic violations. Officers will diligently apply themselves to the study of the principles of the laws, which they are sworn to uphold. They will make certain of their responsibilities in the particulars of law enforcement, seeking aid from superiors in matters of technicality or principle when laws are not clear. Officers will make a special effort to fully understand their relationship with other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.
- B. Working Knowledge** - All members will maintain a working knowledge of laws, ordinances, policies, orders and directives related to their position. In the event of a violation, it will be presumed that the member was familiar with the law, ordinance, policy, orders or directive in question. Members should apply training principles and practice instructed at any training session provided by the Agency. Training provided by the Agency provides guidelines to the member to use in concert with sound judgment and reasonable action.
- C. Duty to Report** - Members with knowledge of other members violating laws, ordinances Agency directives, or disobeying orders, will report such violations to the Division Commander through the chain of command. The Division Commander will immediately forward any such reports, which constitute a violation of law, or serious violations of Agency directives, to the Chief. An officer's failure to report may be considered "Conduct Unbecoming an Officer" as described in section 401.13E (9).
- D. Obey Orders** - Members will promptly obey all lawful orders of a superior, including any order relayed to the member by another member, or orders given on the police radio. **The order will state clearly what action is to be taken. The supervisor will ensure that the member understands the order if there is any indication from the member that there is confusion or that the member is hesitant to carry out the order.** This includes orders from a superior relayed by members of the same or lesser rank. An officer's failure to obey orders may be considered "Conduct Unbecoming an Officer" as described in section 401.13E (10).

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E. Unlawful Order - No member is required to obey any order which is in violation of law. Responsibility for refusal rests with the member, who will be required to justify his/her action. (Note: The Chief may impose rules, which are more restrictive while not in conflict with such laws).

- 1. Obey Then Appeal** - Members who are given orders they believe to be unjust or contrary to rules will first obey those orders and then appeal as provided below.
- 2. Conflict** - If a member receives an order which conflicts with an order previously received; either from the same or a different superior, the member will explain the conflict to the person giving the more recent order, who then will determine which order is to be followed.
- 3. Appeals Process** - Appeals of unlawful, unjust or improper orders will be initiated, in writing, as soon as is practicable. The appeal will be sent through the chain of command to the Chief.

401.4 Duty Responsibilities

- A. Duty to Act** - Within the city, officers will at all times take appropriate action to: enforce federal, state and local laws coming within Departmental jurisdiction, protect life and property, preserve the peace, prevent crime, and aid fellow peace officers exposed to danger or in a situation where danger may be impending. Officers will not act in a cowardly manner.
- B. Competency** - Members will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. In no instance will they attempt to shift the burden of their responsibility for executing, or neglecting to execute a lawful order, directive or policy duty.
- C. Prohibited Activities** - Members are prohibited from engaging in the following activities while on duty:
 1. Conducting any private business enterprise.
 2. Illegal gambling, unless it is to further a police purpose.
 3. Visiting or loitering in taverns, theaters, or other public places except in the performance of police duties or on an approved break.
 4. Any sexual activity, as defined by the Florida Department of Law Enforcement Criminal Justice Standards and Training Commission.

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- D. Obtaining Information** - Members will obtain information in a courteous and professional manner and act upon it properly and judiciously.
- E. Interference** - Members will not knowingly interfere with the investigation, assigned task or duty assignment of another, and will not by direct or indirect threat attempt to secure the withdrawal or abandonment of a complaint or charge. This does not preclude any member from explaining alternatives other than filing a formal complaint to a complainant.
- F. Duty Assignment** - When a member is assigned to an area or duty, it will be that member's responsibility to remain in that area or on that duty until properly relieved or dismissed by competent authority. An officer's failure to remain in assignment may be considered "Conduct Unbecoming an Officer" as described in section 401.13E (5).
- G. Reporting to Duty** - Any member who fails to appear for duty at the scheduled date, time and place, without the consent of his/her supervisor is "absent without leave". Such absences will result in appropriate disciplinary action. This section applies to Agency training, as well as any other regular or special assigned duty. An officer's failure to appear for duty may be considered "Conduct Unbecoming an Officer" as described in section 401.13E (4).
- H. Response to Calls/Reports** - Officers will personally respond to the location where dispatched unless otherwise authorized or instructed by their supervisor. Any deviation from this will be noted on the CFS or in a written report. Members will promptly submit such reports as required and will not knowingly enter or cause to be entered, any false, inaccurate or improper information.
- I. Use of Equipment/Facilities** - Members will utilize Agency equipment and facilities only for its intended purpose and in accordance with established Agency procedures. They will not damage, intentionally abuse or deface Agency facilities. Members will not intentionally damage or lose equipment. All Agency equipment will be properly maintained. When a member becomes aware that any Agency facility or equipment is found to be non-functional, damaged or defaced, they will immediately report the problem to the immediate supervisor. It will be prima facie evidence of neglect through carelessness or lack of responsibility on behalf of the member if the lost or damaged item or facility is not immediately reported.
- J. Vehicle Operation** - Members will operate City vehicles in a careful and prudent manner and will obey all laws and Agency directives pertaining to

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the operation thereof. At fault crashes will be reviewed and investigated as a DI or II at the discretion of the Chief.

- K. Police Identification** - Sworn members will carry their official police identification card and badge on or about their persons, at all times, both on duty and off duty, except when impractical or dangerous to their safety or to an investigation.
- L. Carry/Use of Weapons** - Members authorized to carry and use weapons will do so in a careful and prudent manner in accordance with law and Agency procedures.
- M. Truthfulness** - Members are required to be truthful at all times, whether under oath or not, and will not misinform, lie or withhold information.

401.5 Limits of Authority

- A. Authority Subject to Law and Rights of Others** - Officers will use their powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen(s) concerned. In the absence of a specific, articulable reason, a person's race, creed, color, age, national origin, gender, sexual preference, religion, social/economic standing, or affluence will not be a factor in determining reasonable suspicion for a stop or probable cause for an arrest. The officer's position gives him/her no right to prosecute the violator, or to mete out punishment for the offense. The officer will, at all times, have a clear appreciation of his/her responsibilities and limitations regarding detention of the violators, and will conduct himself/herself in such a manner as will minimize the possibility of having to use force. To this end he/she will cultivate a dedication to the service of the people and the equitable upholding of their laws, whether in the handling of law violators or in dealing with the law-abiding people.
- B. Off-Duty Officers** - An off-duty officer may take enforcement action for criminal violations of law, or other emergency service aid, at their discretion based upon his individual capabilities, training, experience and available resources or equipment (firearm, communications, etc.). However, officers who are off duty and operating a marked patrol vehicle, or an unmarked vehicle fully equipped with emergency lights and siren, will take appropriate enforcement action based on the seriousness of the offense and if the offense was committed, or about to be committed, in the officer's presence. This policy also applies to offenses occurring outside the City of Palm Bay jurisdictional boundaries and as authorized in the [Brevard County Mutual Aid Agreement](#). Traffic enforcement on violations not posing an immediate threat to public safety, and non-criminal in nature, is prohibited outside the

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City limits. Officers operating marked patrol units, or unmarked vehicles equipped with approved emergency lights, are authorized to render aid and traffic control at accident scenes when necessary to protect life and property. Except for criteria stated herein, nothing will require an officer to take enforcement action when off duty.

- C. Off-Duty; Duty to Report** - In any case, an officer has a duty to report serious incidents or crimes, to be a competent witness, and to perform any non-enforcement duties expected of a police officer until the arrival of on-duty members. Officers may be required to complete applicable reports.
- D. Officer Discretion; Misdemeanors and Infractions** - Officers may exercise discretionary powers in the enforcement of misdemeanors (except domestic violence cases [<GO 220>](#) and infractions. The decision to arrest, ROR, issue a citation or give a verbal warning rests with the officer and will be based on such factors as the seriousness of the violation, the possible consequences of the violation, the violator's past history, physical and mental condition, the likelihood that the violator will be available to answer charges at a later date, and whether victims were involved in the violation. The attitude of the violator will not be used as a determining factor.
- E. Officer Discretion; Felonies** - Officer discretion is **not** to be used in enforcing witnessed felonies or felony violations substantiated by probable cause. This does not require an investigator to make an immediate arrest when conducting an investigation or building a case. However, at the conclusion of such investigation, appropriate charges will be brought pursuant to this subsection.
- F. Officer Discretion; Dismissal of Charges** - Officers are not permitted to dismiss charges against arrested persons who have not yet been booked unless there is sufficient reason. If sufficient reason exists, officers will promptly unarrest the person. The officer will contact his/her immediate supervisor. A written report is required in these situations.
- G. Officer Discretion; Release of Suspects on their Own Recognizance, (ROR)** - Unless certain arrests are mandatory incarceration by Department policy, persons arrested and booked for misdemeanor violations may be released by the officer without bail (ROR) only through the use of a Notice to Appear form, or for misdemeanor traffic violations where the signed citation serves as a Notice to Appear. Prior to release, the defendant must meet ROR criteria as set by law. [<GO 210>](#)

401.6 Substandard Performance

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- A. Competency** - A member will be determined to be incompetent in his job performance when he has shown himself/herself unable to meet reasonable measures of job performance or to maintain established standards of efficiency. Incompetence will result in corrective action, up to and including discharge.
- B. Carelessness or Neglect** - A member who is determined to have impaired or jeopardized the proper and efficient operation of the Agency due to carelessness or neglect will be subject to administrative or disciplinary action, to include discharge. An act of this nature committed by an officer may be considered "Conduct Unbecoming an Officer" as described in section 401.13E (2).

401.7 Conduct toward the Public

- A. Respect for Police Service** - The officer will deal with individuals of the community in a manner calculated to instill respect for the community's laws and its police service. The officer will conduct his/her official life in a manner such as will inspire confidence and trust. The officer will give service where he/she can, and require compliance with the law, acting without personal preference or prejudice but rather as a duly appointed officer of the law discharging his/her sworn obligation.
- B. Courtesy Towards All** - Members will be courteous and orderly in their dealings with the public. They will perform their duties quietly, avoiding harsh, violent, profane or insolent language and will always strive to remain calm regardless of provocation to do otherwise. Upon request, they will supply their name, business card, or ID number in a courteous manner.
- C. Act on Requests** - Members will tend to all requests from the public quickly and accurately, including returning telephone calls, answering messages, etc., and will avoid unnecessary referrals to other sections of the Agency.
- D. Impartiality** - All members will remain completely impartial in their attitude and actions toward all persons coming to the attention of the Agency.

401.8 Gifts and Gratuities

- A. Special Consideration; Influence of Judgment** - Members will guard against placing themselves in any position that could reasonably create an impression that special considerations are, or could be, given because of the acceptance of discounts, gifts, donations, services or favors.

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B. Gratuity - A gratuity is defined as offering member money, discounts, gifts, donations, services, favors, etc., which result in personal gain:

1. For doing something members are under a duty to do.
2. For **not** doing something members are under a duty to do.
3. Obligating a member to give preferential treatment or exercise legitimate discretion for improper reasons.
4. Receiving any benefit is inconsistent with the proper performance of a member's duties. **Members will not accept gratuities!**

C. Discount - A reduced price for goods and/or services, to include free drinks, food, etc.

1. Discounts given for reasons other than employment with the police department are acceptable, (given to general public, City members, group membership, elderly, etc.).
2. Discounts given because of employment with the police department may be accepted with the following stipulations:
 - a. There will be **no** expectation of, nor requests for discounts.
 - b. If full payment is not accepted, members may consider leaving the difference as a tip, donation, etc., otherwise discounts may be accepted graciously.

D. Gifts/Donations - Something given willingly, without an expectation of payment in return.

1. Gifts/donations may be accepted when intended to benefit the City, police department, or for a charitable reason.
2. Gifts to individual members because of employment with the police department may be accepted under the following guidelines:
 - a. There will be no expectation of, nor requests for gifts, and where appropriate, full payment will be offered.
 - b. Gifts offered to individual members must be pre-approved by the Chief of Police or his designee. The recipient must submit a written request through his/her chain of command before accepting the gift.

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- c. All gifts must be accepted graciously and professionally. Letters of appreciation are the appropriate response for donations to the police department.

E. Solicitation - Seeking to obtain by request: money, goods, discounts, gifts, donations, services, favors, etc.

1. Solicitation on behalf of the police department must be approved by the Chief of Police or his designee.
2. Solicitation in any way for individual gain is prohibited.

F. Using Official Position for Gain or Privileges - Members will not use their official position or official identification card or badge to avoid consequences of illegal acts, for personal or financial gain, or for obtaining privileges not otherwise available to them. This includes wearing a uniform while off duty to obtain discounts offered to on-duty officers. Members will not use information gained by virtue of their employment to obtain items of value prior to those items being offered to the general public. All transactions involving members receiving personal gain, which are not specifically addressed in Florida State Statute 705.103, (procedure for abandoned or lost property), 705.104, (title to lost or abandoned property), 705.105, (procedure regarding unclaimed evidence), and/or Agency General Order [<GO 701>](#) must have written authorization from the Chief of Police.

G. Endorsements - Members will not authorize their names, photographs or official titles in connection with any testimonial, advertisement or commercial enterprise unless pre-approved in writing by the Chief of Police.

H. Recommending Products or Services - While acting within the scope of their employment, members will not, in any manner whatsoever, recommend or suggest to the public the employment or procurement of a particular product, professional service or commercial service.

I. Awards/Rewards - Awards for performance must receive written approval from the Chief of Police or his designee.

401.9 Professional Appearance [<Grooming and Appearance GO 412>](#)

A. Demeanor - At all times while in uniform in public view, members will maintain a professional bearing. Members should avoid slouching, spitting, etc., and should not place their hands in their pockets or place toothpicks, pens, etc., in their mouths or behind their ears.

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- B. Use of Tobacco** - Members may use tobacco products while on duty provided they exercise discretion and good judgment so as not to offend others. Spitting in the presence of others or maintaining spittoons in City buildings visible to others is prohibited. Under no circumstances will tobacco products be visible to the general public or in the mouth while in direct contact with the public. The use of smokeless/vapor-producing devices is expressly forbidden while in any Agency building/facilities or Agency vehicles, marked or unmarked.

- C. Salute Protocol** - Members in uniform, unless engaged in police duties requiring their direct attention, on the approach of the colors will face the flag, (colors), and render a sharp military salute with the right arm. Members in civilian clothes will stand at attention holding right hand over left breast. The salute will be made and held when the colors approach within six paces and until they have passed six paces beyond. Only the colors at the head of each division of the parade will be saluted.

- D. Courtesy to National Anthem** - When the national anthem is played out of doors, members in uniform will stand, face the colors and/or music and render a sharp military salute until the anthem is completed. Members in civilian attire will face the colors and/or music, come to attention, and place hand or hat over the left breast. If the anthem is played indoors, members will remove the headgear with the right hand and place the hand, (holding headgear), over the left breast.

401.10 Alcohol and Drugs

- A. Use of Alcohol While on Duty** - Members will not be under the influence of alcohol at any time while on duty. Members will not drink intoxicating beverages or "non-alcoholic" beer or wine while on duty except when necessary for the actual performance of duties requiring its use. In such instances, the member will not become intoxicated.

- B. Use of Alcohol While off Duty** - Members will not use intoxicating beverages off duty to the extent that it brings public discredit to the Agency or where evidence of such consumption is apparent when reporting for duty. Alcohol will not be consumed within eight hours of reporting for scheduled duty. No member will report for a call out if they are under the influence.

- C. Alcohol or Controlled Substances on City Property** - Members will not possess, store, or bring alcoholic beverages or controlled substances into any

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police facility or vehicle, except in the performance of their official duties or as legally prescribed.

- D. Taking Medications While on Duty** - When a member takes any medication, which has the potential to affect motor skills, judgment, alertness or any other physical or mental capability; he/she will notify the on-duty supervisor immediately. The supervisor will notify the respective Section or Division commander.
- E. Use of Illegal Substances** - Is strictly prohibited whether on duty or off duty, and if discovered, will subject member to criminal sanctions.
- F. Use of Medical Marijuana** - The use of marijuana by prescription has not been approved by the Federal Food and Drug Administration and is a violation of federal law. Employees are prohibited from using marijuana, synthetic chemicals or related products that contains THC, or results in a positive urinalysis or blood specimen. Marijuana, synthetic chemicals or related products that are obtained by prescription, or for medical use, are also prohibited.
- G. Purchasing Alcoholic Beverages in Uniform** - Members will not purchase alcoholic beverages, or non-alcoholic beer or wine, while in identifiable police attire or vehicles.
- H. Attendance at Training** - While attending schools, classes or training sessions, members are on duty, and will not drink alcoholic beverages, except as required by an approved training course.

401.11 Political Activities

- A. Off Duty Opinions** - Members may express their opinions on any candidate or issue, and may participate in any political campaign during their off-duty hours, but not in uniform, and will display no symbol representing the Agency.
- B. No Campaign Material On Duty** - While on duty, members will not wear or advertise any campaign material, distribute campaign material nor display campaign material on or from any City vehicle.
- C. Elected Office Prohibited** - By state law, members cannot be dual office holders. Members should familiarize themselves with all laws related to campaigning for office before seeking public office.
- D. Subordinates** - Members will not require political service of any subordinate.

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E. Member of Subversive Groups - Unless required in the performance of investigative duties, no member will knowingly become a member of or associate with any organization or group of persons who profess the violent overthrow of the United States government or any political subdivision thereof, or whose purposes are in conflict with the member's oath of office.

F. Prohibited activities [<FSS 104.31>](#) - No officer or employee of the Agency shall:

- a. Use his or her official authority or influence for the purpose of interfering with an election of a nomination of office or coercing or influencing another person's vote or affecting the result thereof.
- b. Directly or indirectly coerce or attempt to coerce, command, or advise any other officer or employee to pay, lend, or contribute any part of his or her salary, or any money, or anything else of value to any party, committee, organization, agency, or person for political purposes.
- c. Directly or indirectly coerce or attempt to coerce, command, and advise any such officer or employee as to where he or she might purchase commodities or to interfere in any other way with the personal right of said officer or employee.

401.12 Strikes or Work Stoppages - Members will not participate in any strike, as defined in Florida State Statutes 447, including continued sickness unsubstantiated by a physician's statement.

401.13 General Conduct

A. Unlawful Discharge of Duties - Officers will be mindful of their responsibility in discharging the duties of their office. Violations of law or disregard for public safety and property on the part of an officer are wrong. The use of unlawful means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers.

B. Cooperation With Other Public Entities - Members will cooperate fully with other public officials and duties. Members will guard against the use of his/her office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, members will seek authority from a supervisor, giving the supervisor a full report of the proposed service or action.

C. Conduct in Private Life - Members will be mindful of their special identification by the public as upholders of the law. Laxity of conduct or

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manner in private life, expressing either disrespect for the law or seeking to gain special privilege, will adversely reflect upon members and the police service. The community and the Agency require that the member lead the life of a decent and honorable person.

- D. Self-improvement** - Officers will regard the discharge of their duties as a public trust, and recognize their responsibility as a public servant. By diligent study and sincere attention to self-improvement, officers will strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety.
- E. Conduct Unbecoming an Officer** - Conduct specifically mentioned in this General Order, which tends to bring the Agency into disrepute or reflects discredit upon the individual member as a police officer. Generally these include, but are not limited to:
1. Insubordination, or disrespect toward a superior officer.
 2. Neglect or inattention to duty.
 3. Sleeping on duty.
 4. Absent from duty without permission.
 5. Leaving post without proper relief or permission.
 6. Making a false statement, report, communication or entry into any official record or other official or required report or record.
 7. Accepting fees, rewards or gifts of any kind from any person arrested or in his behalf.
 8. Refusing to give name, badge number or to display identification card in a courteous manner when requested.
 9. Neglecting to report any member of the Agency known to have violated any directive order issued for the guidance of the Agency, where such violation would bring discredit to such member and/or the Agency.
 10. Neglect or refusal to comply with oral or written orders.

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- F. Respect for Other Members** - Members will treat superiors, subordinates and associates with respect. They will be courteous and civil in their relationship with one another. When on duty and in the presence of the public, superiors will be referred to by rank.

- G. Interagency Cooperation** - Members will cooperate with all agencies engaged in the administration of criminal justice and with other Departments in the City of Palm Bay's organizational structure.

- H. Visiting Places of Ill-repute** - Members will not knowingly visit a house of prostitution, unlawful gambling establishment, or any other place where the laws of the United States or the State or local ordinances are regularly violated, except in the performance of official duties.

- I. Associating with Lawbreakers** - Members will not knowingly associate with convicted felons, habitual convicted misdemeanants, persons who are of bad repute or unsavory character, or those known associates of such people, except in the performance of official duties. It is lawful for government entities to restrict its members' constitutional right of freedom of association, if the governmental interest being furthered by such restriction outweighs the private rights of the individual member. Factors to be considered would be the length of time since the conviction, where the association occurred (such as private or public), in what type of meeting or function the association occurred and when and how the association occurred.

- J. External Influence for Personal Preferment** - Members will not seek the influence or intervention of any person outside of the Agency for the purpose of personal preferment, advantage, transfer or advancement within the Agency.

- K. Public Comments, Criticism or Ridicule of the Agency** - Members will not publicly comment, criticize or ridicule the Agency, its policies or other members, in any manner, where such expressions are defamatory, obscene, or unlawful, or made with reckless disregard for the truth when the member is speaking not as a citizen upon matters of public concern, but instead as a member upon matters only of personal interest, where it is reasonable to believe that such comments, criticism or ridicule will disrupt the office, undermine authority, destroy the close working relationships within the Agency, impair the operation of the Agency, impair an ongoing criminal or internal investigation or interfere with a supervisor's ability to maintain discipline.

- L. Unauthorized Use of Public Media** - Members will not depict themselves or other agency members through any public medium, including but not limited

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to, video web cams, personal web sites, interactive networks (MySpace, Facebook, YouTube, Twitter, etc.), and/or blogs in a way that identifies the member as being employed or affiliated with the agency and which contains any content which is unethical, slanderous, derogatory, or likely to adversely affect the discipline, good order, or reputation of the agency or that tends to compromise the integrity of the member.

1. Members will not release any confidential or sensitive information gained as a result of their positions within the agency. Confidential information which will not be released includes: photographs, home addresses, social security numbers, phone numbers, names, or any other identifying information of any current or former law enforcement personnel. Refer to FSS 119.071 for detailed information regarding confidential information. A member may post his/her own information. However, the member should realize that once the information is uploaded to the internet, it can never be removed. If a member posts a photograph or other personal information on the internet, it is possible for attorneys or reporters to access that information and use it against the member's wishes. For example, if an officer were to become involved in a shooting, the media would have immediate access to photographs of the officer posted on the internet.
2. Members will not post images of crime scenes, crash scenes, evidence, suspects, victims, witnesses, or any other images captured while acting in their official capacity or accessed as a result of their employment.
3. Members whose websites contain reference to their affiliation with the agency will immediately remove from their personal accounts any questionable content which has been uploaded by others.
4. Members should consider the possible adverse consequences of internet postings, such as future employment, cross-examination in criminal cases, and public embarrassment.
5. Members are encouraged to seek the guidance of supervisors regarding any posting which may adversely affect either the agency or the member.

M. Updating Personal Information - Members will ensure that the Communications Center, the Human Resources Department and their immediate supervisor have the member's correct name, address, telephone number, and person to be notified in case of emergency. Any changes in that information must be promptly reported to all three. The member's immediate supervisor will promptly forward the information to the section responsible for updating the Agency's member database. Members are required to have a

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telephone or cellular phone at their residence. Members who have only a cellular phone must ensure that it is kept on while off duty.

401.14 Rules Governing Conduct - Specific rules of conduct that govern **all** the actions or behavior of **every** member cannot be established. Any act or omission contrary to good order, discipline, or accepted standards of conduct may subject a member to disciplinary action.

401.15 Recognition of Investigators - No member will show any sign of recognition to an undercover investigator unless that investigator initiates contact with the member. No member will reveal the identity of any undercover investigator to another person without specific authorization from the investigator. The intent of this is to prevent jeopardy to an investigator or compromise of any ongoing investigation.

401.16 Refusal to Render Administrative Statement - Any member, who, after being advised of appropriate rights or warnings, refuses to answer questions relating to the performance of his official duties or continued fitness for duty, will be subject to Agency charges which could result in dismissal for cause.

401.17 Obtaining Investigative Information on People - Information from FCIC, NCIC, or any other restricted source to which the Agency has access, whether automated or manual, will be used only for official Department business. [<FCIC/NCIC Procedures OM A302>](#)

401.18 In-Service Training - In-service training is considered duty time. All members will attend in-service training as assigned.

401.19 Relieved of Duty - Relieved of Duty is the temporary removal from duty for actions of a member resulting in death or serious bodily injury of a person or persons pending an investigation, major offenses, unfitness for duty, members who are in need of assistance rendered by a licensed mental health care professional, refusal to obey a direct order of a supervisor or commander, substantial insubordination, or for a continuation of a problem previously dealt with by written counseling. Relieved of Duty is for administrative purposes only, and will **not** be considered disciplinary action.

A. Criteria - Any Agency supervisor may relieve a subordinate from duty due to actions or behavior that would cause a serious erosion of discipline, endanger persons or property, subject the Agency to obvious liability if the presence of the member is allowed, for persons in need of assistance from a mental health professional, or where any member is the suspect in a criminal offense.

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- B. Command Notification** - A supervisor relieving a member from duty under this section will notify the Division Commander, through the chain of command, preferably at the time the member is released or by the end of the supervisor's shift. The Division Commander will ensure that the Chief of Police is notified immediately.
- C. ID, Firearm, Vehicle** - Relieved of duty will not include the loss of police identification or the authorization to possess and carry concealed firearms, or participation in the assigned vehicle program, unless expressly stated by the supervisor or commander invoking the release. Officers relieved of duty whose supervisor deems it necessary will store their assigned city vehicle at the Palm Bay Police Department or other location deemed appropriate by the Chief of Police and will not participate in the assigned vehicle program until advised otherwise by their respective Division Commander.
1. If the member is the subject of a criminal offense or in need of mental counseling, the relieving supervisor will ensure that the following are collected at time of relief:
 - a. Badges, Police and or City Identification.
 - b. All assigned duty gear.
 - c. All agency issued lethal and less lethal weapons.
 - d. All issued department uniforms.
 - e. Key fob.
 - f. Vehicle and keys with key fob.
 2. All of the collected department property will be properly documented on the [Relief of Duty Form](#).
- D. Commander's Review** - The supervisor and member will see the Division Commanders on the next administrative business day to review the incident and action unless it is due to a medical evaluation. For members who are in need of assistance from a mental health or medical professional, no review is necessary unless the Chief of Police or designee deems appropriate.
- E. Written Report** - The applicable Division Commander will provide a written report and recommendation to the Chief. This does not apply in situations where a member is relieved of duty regarding a mental or medical evaluation unless the member will be absent for a period of at least 3 pay periods.

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F. Chief's Authority - The Chief will have the sole authority to determine whether the Relieved of Duty status is converted to a suspension.

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Subject: Discipline		Order No: 402
Rescinds: GO 402 Revised: 11/02/17	CFA 5th: 2.06, 7.02, 7.03, 7.04, 7.06, 20.02	Revised: 05/09/18
Reference: Discipline Matrix, Letter of Counseling Form, Letter of Consensus Form, City Rule 14-Discipline. CBA NAGE White and FOP.		
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402 Policy

- A. The Agency will maintain procedures to implement discipline in cases where an employee is negligent in his duties or engages in misconduct. Counseling techniques should be used when possible to train or guide employees. The imposition of discipline becomes necessary when such counseling fails to rectify improper action or the employee is deemed to have committed a serious violation of Departmental rules, regulations, procedures or any applicable State Statute. The Disciplinary Matrix has been established to assist the Chief of Police in ensuring that discipline is fundamentally fair and applied uniformly for those members of the FOP. [**<PO Disciplinary Matrix>**](#) For members of NAGE White, discipline is administered in accordance with City Rules and Regulations.

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- B. Discipline is designed to be progressive in nature. Generally, the minimal amount of discipline necessary to achieve the desired change in performance or behavior will be used. The Agency will ensure that a copy of all policies, directives, rules and procedures, including rules of conduct and appearance, be provided to each employee.
- C. Written records of discipline will be governed by the Florida Public Records Law (Chapter 119, Florida Statutes) and retention schedules as specified by the State of Florida. Pursuant to Public Records Law, completed and closed cases may be reviewed by the public and media upon request. Copies may be obtained upon request and receipt of payment of applicable fees.
- D. Internal Investigations and discipline on employees covered by the current NAGE Collective Bargaining Agreement will be conducted according to that contract. The disciplinary matrix afforded to members of the FOP is not applicable to members of NAGE White.

402.1 Discipline - The loss of accrued time, suspension without compensation, demotion in rank or termination. Discipline may only be implemented by the Chief of Police.

402.2 Forms of Disciplinary/Corrective Action for FOP Members

- A. **Training (Remedial/Education)** - If it is determined that infractions or poor work quality are the result of lack of knowledge of procedures or policy, training may be requested through the Division Commander to the Training Unit. The purpose of additional training is to assist the employee in correcting and improving their performance level. Training may be conducted during reasonable hours, on Agency time, under a Field Training Officer or the supervisor. If necessary, the employee may be assigned specific remedial training through the Training Unit. Training may be given in addition to other types of disciplinary actions.
 - 1. If for any reason, an employee fails to attend or complete the remedial training in a satisfactory manner, the appropriate Division Commander will be notified. The Division Commander will determine if disciplinary action is appropriate.
 - 2. Any recommendations for training will be placed in the employee's personnel file.
- B. **Verbal/Personnel Log Entry/Counseling** - The purpose of counseling is to allow the supervisor to bring to the employee's attention the need to improve their performance, work habits, behavior, or attitude and to serve as a warning against further repetition of the unsatisfactory conduct. The supervisor should utilize the occasion to identify and define the area needing improvement, and

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inform the employee as to how much improvement can be realistically achieved. The counseled employee will sign the log entry if applicable.

- C. Letter of Counseling** - In a situation where counseling has not resulted in the expected improvement, or when an employee commits a more serious offense, a written counseling will be given to the employee. This will include a complete description of the incident(s) of misconduct, and refer to specific times, dates, and locations, personnel involved, and rules violated. A copy of the written counseling will be given to the employee, and the original filed in the Internal Affairs Unit.
- D. Suspension/Forfeiture of Time** - Suspension is the temporary removal from duty for major offenses, unfitness for duty, or for a continuation of a problem previously dealt with by written counseling or by a Relieved from Duty.
1. In the event offenses are continued or repeated, and the employee has already received oral or written counseling, or if the nature of the offense is relatively serious, the employee may be suspended for a specific period of time.
 2. Recognizing the burden the loss of an employee's presence on the job creates, suspensions may first take the form of loss of accrued leave from the employee's vacation leave account. The suspension assigned will be based on the nature of the offense according to the disciplinary matrix, past performance by the employee, number of previous incidents, and the likelihood of improvement on the part of the employee based on previous disciplinary problems.
 3. All incidents of suspension will be documented in a letter signed by the Chief of Police, with a copy given to the suspended employee and the original placed in the employee's personnel file.
 4. Such suspension will be without pay and, if for more than one day, will be issued on a consecutive working day basis or on a schedule deemed appropriate by the Agency. It should also be noted that permission for the employee to engage in off-duty police employment will be temporarily withdrawn for the duration of said suspension.
 5. The Chief of Police, with approval of the City Manager, may suspend an employee with pay during an investigation when allegations are serious enough to, if sustained, warrant an extended suspension, dismissal, or demotion.
 6. For definition purposes, a day of suspension/loss of leave will be equal to eight consecutive hours. If an employee's schedule is other than an eight hour schedule, suspension will be based upon operational necessity.

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E. Demotion - In cases where the only alternative to demotion would be dismissal from the Agency, and the Chief of Police deems it is in the best interest of the Agency, such demotion may be utilized as a means of retaining the employee.

1. Any such demotions will be documented and a copy placed in the employee's personnel file indefinitely.
2. A voluntary demotion will be so designated and will not be deemed a disciplinary action.

F. Termination - Termination is the permanent discharge from employment for cause. The City Manager is the only person authorized to terminate employees. For continued series of minor offenses, repetition of more serious offenses, or the first occurrence of a serious offense, an employee may be dismissed from the Agency. At the sole discretion of the Chief of Police, with the mutual agreement of the affected employee and the FOP (if applicable), a Last Chance Agreement may be offered.

1. If the employee's alleged conduct is serious enough to warrant dismissal, the employee may be placed on suspension, with or without pay, pending the outcome of the investigation.
2. A dismissed employee's file will be retained by the Human Resources Department according to State requirements for retention of records based on the time frame for maintenance of all employee files.
3. Permanent employees dismissed will receive the following:
 - a. A written reason for the dismissal.
 - b. The effective date of the dismissal.
 - c. A statement of the status of fringe and retirement benefits after dismissal.
 - d. A statement outlining the employee's rights.

402.3 Levels of Violations for Members of the FOP

A. Level 1

1. Description

- a. First occurrence of minor violations.

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- b. Repeated or similar misconduct within 12 consecutive months enhances the third violation to Level 2.
- c. Combination of any three Level 1 violations within 12 consecutive months enhances the third violation to Level 2.

2. Corrective Action Options - Non-disciplinary

- a. Remedial training and/or
- b. Education and/or
- c. Verbal Counseling and/or
- d. Personnel Log Entry and/or
- e. Voluntary restitution and/or
- f. Psychological Services and/or
- g. Other non-disciplinary action

B. Level 2

1. Description

- a. First occurrence of Level 2 violation.
- b. Enhanced violation from Level 1.
- c. Repeated or similar misconduct within 24 consecutive months enhances the third violation to Level 3.
- d. Combination of any three Level 2 violations within 24 consecutive months enhances third violation to Level 3.

2. Corrective Action Options - Non-disciplinary

- a. Letter of Counseling

C. Level 3

1. Description

- a. First occurrence of Level 3 violation.

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- b. Enhanced violation from Level 2.
- c. Repeated or similar misconduct within 24 consecutive months enhances the third violation to Level 4.
- d. Combination of any three Level 3 violations within 24 consecutive months enhances the third violation to Level 4.

2. Discipline Options

- a. One to four days loss of vacation leave or suspension.

D. Level 4

1. Description

- a. First occurrence of Level 4 violation.
- b. Enhanced violation from Level 3.
- c. Repeated or similar misconduct within 24 consecutive months enhances violation to Level 5.

2. Discipline Options

- a. Five to nine days loss of vacation leave or suspension.

E. Level 5

1. Description

- a. First occurrence of Level 5 violation.
- b. Enhanced violation from Level 4.
- c. Second Level 4 violation within 24 months.

2. Discipline Options - Ten or more day's loss of vacation leave or suspension.

F. Level 6

1. Description

- a. First occurrence of Level 6 violation.

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- b. Second occurrence of Level 5 violation.

2. Discipline Options

- a. Demotion
- b. Termination

402.4 Disciplinary/Corrective Action Policy per [City Rule 14](#)

A. Purpose - It is the intent of the City that effective supervision and employee relations will avoid most matters which necessitate disciplinary action. To this end, the City encourages to the fullest, employee behavior which is positive and supportive of the goals of management. The purpose of the rules and the disciplinary actions for violation of them is to ensure the rights of all employees and to secure cooperation and orderliness. Application of these rules to other than full-time non-probationary employees does not extend to them a property right to their position.

B. Responsibilities

1. First-line supervisors and middle managers are responsible for monitoring the conduct and job performance of employees under their jurisdiction.
2. Department Heads are responsible for instructing and monitoring their supervisors and middle managers in the formulation of conduct and job performance standards and the administration of discipline.
3. The City Manager or his/her designee is responsible for instructing and monitoring the Department Heads in the formulation of conduct and job performance standards and the administration of discipline.
4. The Human Resources Director is responsible for monitoring all disciplinary actions in the City to ensure that basic employee rights are protected and to ensure that appropriate and consistent action has been taken.

402.5 Definitions of Discipline per [City Rule 1](#)

A. Demotion - The movement of an employee, voluntarily or involuntarily, from one job classification to another job classification having a lower pay grade.

1. Upon a non-disciplinary demotion a probationary employee shall serve the balance of the unserved original probationary period but an employee who

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has completed his/her original probationary period will not be required to serve another probationary period. (See Rule III, Sect. 7)

2. An employee demoted for disciplinary reasons may be required to serve a new probationary period of up to six months beginning with the effective date of the demotion. The appointing authority shall so advise the employee at the time of the demotion if a new probationary period is to be served. (See Rule III, Sect. 7)
3. Demotions can occur for any of the following reasons per [City Rule XII](#):
 - a. When an employee would otherwise be laid off because the position is being abolished; due to department reorganization; lack of work; lack of funds; or because of the return to work from an authorized leave of another employee to such a position in accordance with the rules of leave.
 - b. When an employee does not possess the necessary qualifications to render satisfactory service in the present position, or when removed during probation.
 - c. When an employee voluntarily requests such downgrade. (Note: All downgrades must receive the approval of the appointing authority/City Manager. Forced downgrades may be appealed to the City Manager who will carefully consider the appeal and transmit to the employee a letter containing a decision at the earliest possible time. The City Manager's decision will be final and binding.)
 - d. A regular full-time employee who was promoted to a higher class on a probationary basis and whose services are not satisfactory shall be returned to the position from which promoted if the position has not been filled. Otherwise, the employee will be dismissed. In situations where such an employee was promoted to a higher class on a probationary basis and whose services are satisfactory but the employee requests return to his/her former position, with the concurrence of the department head(s) and Human Resources Director, and providing the position has not been filled, such a move may be made.
- B. Dismissal** - An act taken by an appointing authority, other than layoff, to terminate an employee's employment with the City. Dismissal during the probationary period is as follows:
 1. At anytime during the original probationary period the appointing authority may remove an employee with or without cause.

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2. An employee, who has completed his / her original probation period and is serving a probationary period as a result of a position change, may be returned to the position and status held immediately prior to the change if the position is vacant. If the position is not vacant, the employee may, with the agreement of the appointing authority, be transferred to a vacant position of equal or less job classification. If no vacancies exist, the employee will be laid-off.
 3. Whenever possible an employee should be given advanced notice of dismissal. All such actions must be coordinated with the Human Resources Director.
 4. Any employee dismissed during a probationary period shall not have the right of appeal.
- C. Downgrade** - The movement of an employee, voluntarily or involuntarily, from one job classification to another job classification having a lower pay range.
- D. Probationary Period** - An employee promoted to a higher classification will serve a six-month probationary period for the purpose of job qualification.
- E. Suspension** - The enforced temporary removal of an individual from employment usually for a specified period of time. A suspension may be for investigation of charges or as a disciplinary action and will be either with or without pay.

402.6 Progressive Discipline Administration [City Rule 14](#)

- A.** Disciplinary action may be taken for any just cause. Generally, employee misconduct should be dealt with using a progression of disciplinary actions. However, in recognition of the fact that each instance differs in many respects from somewhat similar situations, the City retains the right to treat each occurrence on an individual basis without creating a precedent for other cases which may arise in the future.
- B. Use of Past Record** - Unless specifically covered to the contrary, in imposing disciplinary measures on a current charge, the supervisor will not take into consideration any prior infraction of the City or departmental rules and regulations which occurred more than three years previous, unless the prior infraction is progressively connected with the current charge.
- C. Verbal Counseling**
1. Verbal counseling (reprimand) should consist of the supervisor verbally reminding or cautioning the employee concerning his/her behavior or work performance and counseling the employee on how to improve.

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2. The supervisor should make written record of the counseling session.

D. Written Warning

1. A written warning (reprimand) should be used when the verbal counseling has not resulted in a satisfactory change in conduct or when verbal counseling is deemed insufficient for the offense.
2. A written reprimand should include the following information:
 - a. Reference to recent verbal counseling or similar violations if germane to the reason for verbal counseling.
 - b. Specific charge of misconduct with reference to the City or departmental rules or a supervisory order.
 - c. Warning regarding management's course of action if violations occur in the future.
 - d. The supervisor's signature.
 - e. The employee's signature and date acknowledging receipt of the reprimand. The employee's signature does not imply agreement. If the employee refuses to sign the written reprimand, it should be noted and witnessed.

E. Suspension

1. Suspension should be used as a disciplinary action when a written reprimand has not resulted in a satisfactory change in the employee's conduct or when written warning is deemed insufficient for the offense.
2. Before completing or processing a suspension, unless deemed to be in the immediate and best interest of City government, the appointing authority shall coordinate such action with the Human Resources Director and conduct a pre-determination hearing as provided in Section 3 of this Rule.
3. The suspension document may contain the following information:
 - a. Reference to previous disciplinary actions if germane to the reason for suspension.
 - b. Specific charge of misconduct with reference to a violation of City or departmental rules or a supervisory order.

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- c. Warning regarding management's course of action if a violation occurs in the future.
 - d. The date of the pre-determination hearing and any pertinent information brought forward at that hearing.
 - e. Reference to employee's rights to grieve or appeal.
 - f. The supervisor's signature.
 - g. The appointing authority's signature.
 - h. The employee's signature and date which acknowledges receipt of the suspension document. The employee's signature does not imply agreement and refusal to sign should be noted and witnessed.
4. All suspensions must be approved by the Human Resources Director and City Manager.

F. Demotion and/or Reduction in Pay

- 1. These should be used when other forms of discipline have not resulted in a satisfactory change in an employee's work performance or when other forms of disciplinary action are deemed inappropriate for the offense.
- 2. Before completing or processing a notice of demotion and/or reduction in pay, the appointing authority shall coordinate such action with the Human Resources Director and conduct a pre-determination hearing as provided in Section 3 of this Rule.
- 3. The demotion and/or reduction in pay notice should contain the following:
 - a. Reference to previous disciplinary action(s) if germane to the reason for demotion and/or reduction in pay.
 - b. Specific area(s) of non-performance or charge of misconduct with reference to a violation of City or departmental rules or a supervisory order.
 - c. Warning regarding management's course of action for future violation(s).
 - d. The date of the pre-determination hearing and any pertinent information brought forward at that hearing.

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- e. Reference to the employee's appeal rights.
 - f. The supervisor's signature.
 - g. The appointing authority's signature.
 - h. The employee's signature and date which acknowledges receipt of the document. The employee's signature does not imply agreement and failure to sign should be noted and witnessed.
4. All demotions and/or reduction in pay must be approved by the Human Resources Director and City Manager.

G. Dismissal

- 1. A dismissal is initiated when all previous disciplinary actions have failed to bring a satisfactory change in conduct or when lesser action is deemed insufficient for the offense.
- 2. Before completing or processing the notice of dismissal, the appointing authority shall obtain the concurrence of the department head, coordinate such action with the Human Resources Director and conduct a pre-determination hearing as provided in Section 3 of this Rule.
- 3. The dismissal document should contain the following information:
 - a. Reference to previous disciplinary action(s) if germane to the reason for dismissal.
 - b. Specific charge of misconduct with reference to a violation of City or departmental rules or a supervisory order.
 - c. The date of the pre-determination hearing and any pertinent information brought forward at that hearing.
 - d. Reference to employee's right to appeal.
 - e. The appointing authority's signature.
 - f. The concurring department head's signature.
 - g. The employee's signature and date which acknowledges receipt of the dismissal document. The employee's signature does not imply agreement and failure to sign should be so noted and witnessed.

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4. All dismissals must be approved by the Human Resources Director and City Manager.
5. Employees who are dismissed will be offered a post-termination/name clearing hearing within seven calendar days of the dismissal date. At such hearing the employee will be provided the opportunity to introduce into the record any statements he/she may wish.

402.7 Pre-Determination Hearings [City Rule 14](#)

A. Purpose - A pre-determination hearing is provided to all full-time, regular employees prior to the implementation of the disciplinary actions of suspension, demotion and/or reduction in pay, or dismissal. The hearing provides employees with the opportunity to refute charges.

B. Scheduling - Upon awareness that an employee's actions may require discipline in one of the prescribed forms in Section 3 (A) of this rule, the employee will be notified in writing (if not possible, verbally with witness) at least twenty-four hours in advance. The notice should include a description of the pending charges (the decision of what action will occur is **not** provided).

C. Conducting Hearings

1. At the hearing, the appointing authority:
 - a. Confirms that the employee has a copy of the charges.
 - b. Explains the charges and the type of disciplinary action being contemplated.
 - c. Provides the employee with an opportunity to offer any contrary evidence, explanation, and/or comments.

D. Postponement of Hearings

1. Hearings may be postponed, rescheduled or continued on a different date under reasonable circumstances.
2. Employees who fail to appear or fail to reschedule their pre-determination hearing will forfeit this right; however, they retain any right to grieve or appeal the disciplinary action as otherwise provided.

E. Summary Action - In the event that an appointing authority concludes that immediate imposition of disciplinary action is necessary for public interest or safety, discipline may be taken summarily. The employee may be suspended

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with pay. The employee will be called as soon as possible and advised of the decision regarding discipline.

- F. Authority and Disciplinary Review for NAGE White** - The authority to impose disciplinary actions involving suspensions, demotions or reductions in pay, or dismissals is normally reserved for the appointing authority. Such authority may be delegated to a subordinate supervisor, but any action of this nature must be reviewed and countersigned by the appointing authority. All such actions must be coordinated with the Human Resources Director and be approved by the City Manager.

402.8 Causes for Disciplinary Action - Penalties - Non FOP Members

- A.** The following represent typical grounds for disciplinary actions leading up to and including dismissal. Examples listed here are not intended to be all inclusive. Penalties for offenses not listed will be prescribed in consistence with offenses of comparable gravity.
- B.** Penalties for disciplinary offenses should normally fall within the suggested range; however, these ranges are merely guides and are not intended to limit the right of management to determine what constitutes an appropriate penalty. Depending on the nature of the offense, the past record of the employee, or extenuating circumstances, a more severe penalty, a lesser penalty, or a penalty outside of the range may be imposed.
- C.** Should more than one offense be under consideration, the violations do not necessarily have to be identical in order to be classified as a second or third offense.

402.9 Minor Offense Penalties [City Rule 14](#)

- A. First Offense** - Verbal counseling up to written reprimand.
- B. Second Offense** - Written reprimand up to three days suspension without pay.
- C. Third Offense** - Up to five days suspension without pay.
- D. Fourth Offense** - Up to discharge.

402.10 Major Offense Penalties [City Rule 14](#)

- A. First Offense** - Written reprimand up to three days suspension without pay.
- B. Second Offense** - Up to five days suspension without pay.

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C. Third Offense - Up to discharge.

**402.11 Dismissal Offense Penalty (First Offense Discharge) [City Rule 14](#)
Disciplinary Actions**

402.12 IA Responsibilities for All Members - The Internal Affairs Unit will ensure that discipline or non-disciplinary corrective action from a sustained Internal Investigation or Division Inquiry has been administered within limits set forth by policy and contract. Records of corrective action, disciplinary recommendations and administered discipline will be maintained and stored in locked file drawers in the Internal Affairs Office. In sustained cases involving moral character, a CJSTC Form 78 will be completed and sent to FDLE via certified mail.

402.13 Procedures for Disciplinary Action FOP Members

A. Employee Option - Within three business days of being notified of an investigation into alleged employee misconduct, the affected employee may elect to accept discipline which falls within the established disciplinary/corrective action matrix for the particular violation if a member of the FOP. The election to accept disciplinary/corrective action by the employee must be in writing and must be accepted by the Chief. The employee may provide a written response commenting on the facts contained in the allegation. This acceptance closes the investigation as sustained. If the employee elects not to accept the proposed discipline by the Chief, the Chief is not bound to that proposed discipline at the conclusion of the investigation. This acceptance by an employee of discipline forfeits the right to file a grievance. [Letter of Disciplinary Consensus](#)

B. Chief Review - At the conclusion of an investigation conducted by the Internal Affairs Unit, the investigative report, disciplinary matrix (if applicable) and history of the subject employee will be forwarded to the Chief for his review.

1. If the findings of the Chief conclude the investigation as Not Sustained, Exonerated or Unfounded, the employee will be notified in writing and the report will be filed in the Internal Affairs Unit per Florida Records Retention Schedule.
2. If the findings of the Chief conclude the investigation as sustained, the following action will occur:
 - a. The employee will be notified in writing within three business days of the conclusion and the Chief's contemplation of discipline per the matrix.
 - b. The employee will have three business days to advise in writing the acceptance or denial of the proposed discipline. Failure to respond will

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imply the acceptance of the proposed discipline and forfeiture of grievance rights.

- c. If the employee accepts the disciplinary recommendation and waives the right to file a grievance, a [disciplinary letter of consensus](#) will be completed and signed by both the employee and the Chief. It will then be forwarded to the City Human Resources Director and City Manager for their approval. Discipline must be administered within 30 calendar days of HR Director and City Manager approval.
- d. If the employee refuses to accept the proposed discipline he will be afforded a pre-determination hearing to be held at both parties earliest convenience. The employee maintains the right to representation per contract. The employee maintains the right to grieve the disciplinary recommendation.

C. Disposition - At the conclusion of an investigation conducted by an individual outside of the Internal Affairs Unit, the investigative conclusions, disciplinary matrix and history of the subject employee will be forwarded to the Chief for his review.

- 1. If the findings of the Chief conclude the investigation as Not Sustained, Exonerated or Unfounded, the employee will be notified in writing and the report will be filed in the Internal Affairs Unit per Florida Records Retention Schedule.
- 2. If the findings of the Chief conclude the investigation as Sustained, the following action will occur:
 - a. If the violation recommends non-disciplinary corrective action, the Division Commander will be responsible to ensure its completion.
 - b. If the violation recommends discipline it will be forwarded to the Chief for his approval.
 - The employee will have three business days to advise in writing the acceptance or denial of the proposed discipline. Failure to respond will imply the acceptance of the proposed discipline and forfeiture of grievance rights.
 - If the employee accepts the disciplinary recommendation and waives the right to file a grievance, a [disciplinary letter of consensus](#) will be completed and signed by both the employee and the Chief. It will then be forwarded to the City Human Resources Director and City Manager for their approval. Discipline must be administered within 30 calendar days of HR Director and

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City Manager approval. Failure to administer discipline within the above time frame will not change the findings of an investigation; however, the administration of that discipline will be forfeited.

- If the employee refuses to accept the proposed discipline he will be afforded a pre-determination hearing to be held at both parties earliest convenience. The employee maintains the right to representation per contract. The employee maintains the right to grieve the disciplinary recommendation.

402.14 Appeal of Disciplinary Action

- A. Process** - All disciplinary actions are subject to appeal by the affected employee with the exception of those agreed to and signed in a disciplinary letter of consensus.
- B. Human Resources** - All disciplinary action grievances will begin at the Human Resources Director step according to applicable Union contracts (F.O.P. Step 2, N.A.G.E. Step III) and/or City policy (Step 3).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Recruitment		Order No: 403
Rescinds: GO403 Revised: 3/19/06	CFA 5th:	Revised: 10/22/15
Reference: City Rule 4		
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403.3	<u>Comprehensive Recruitment Plan</u>	
403.4	<u>Job Announcement and Publicity</u>	
403.5	<u>Applications</u>	

403 Policy

- A.** The Agency recognizes the need to develop and maintain an on-going list of qualified candidates so that entry-level positions may be filled with the best candidates available. In addition, it is the policy of the Agency to ensure that the procedures used are fair and non-discriminatory so as to provide equal opportunity to women and minorities. The Agency recognizes that it is in the best interest of the Agency, and the community it serves, to ensure that the broadest and most diversified field of applicants possible is available from which to select entry-level employees. The specific benefits of positive recruitment and selection, as well as policies and procedures, will be manifested in a lower rate of personnel turn over, fewer disciplinary problems, higher morale, better community relations and more efficient and effective police services. Therefore, this Agency will establish and implement the following recruitment program involving all personnel and community resources for the purpose of attracting and employing the best possible applicants for actual or forecasted vacancies.
- B.** Placements are made after careful adherence to applicable Federal and State Statutes and Regulations, Equal Employment Opportunity guidelines, the American Disabilities Act, City Ordinances and Policy and the Agency's Policy.
- C.** The recruitment function is a component of the Training and Recruiting Section. The Agency, acting in coordination with the City's Human

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Resources Department, will share the responsibilities for all recruitment functions associated with filling all sworn and non-sworn positions within the Agency.

403.1 Administration

A. Personnel Training - The recruiting officers and other members becoming involved in the program will attend training as needed to be knowledgeable in the following sections:

1. Agency recruiting needs and commitment.
2. Career opportunities.
3. Salaries, benefits and training.
4. Federal and state compliance guidelines.
5. The community and its needs.
6. Cultural awareness.
7. The Agency's Equal Employment Opportunity Plan.
8. The Agency's selection process.
9. Recruitment processes utilized in other jurisdictions.
10. Disqualifying characteristics, (standards).
11. Medical requirements.

B. Documented Training - This training will be documented by the Training & Recruiting Section.

403.2 Equal Employment Opportunity

A. Plan - The recruiting officer(s) will support and implement the concepts of equal employment opportunity as contained in the City of Palm Bay's Equal Employment Opportunity plan. Refer to the City of Palm Bay, Rules and Regulations, Recruitment, Application and Employment, Rule 4, Section 1.

B. Report - The recruiting officer(s) will generate a report to the Chief of Police detailing the results of minority recruiting and hiring upon request.

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- C. Follow City Policy <Rule 4>** - The City will make every effort in its employment practices to ensure its work force is reflective of the population of Brevard County.

403.3 Comprehensive Recruitment Plan

- A.** The Agency will maintain an active recruitment program designed to attract the most qualified candidates for any actual or forecasted vacancies. Below is a comprehensive recruitment plan designed to identify the following:

1. The goals and objectives of the recruitment function.
2. Established key activity timetables.
3. Established procedures for seeking assistance from community organizations and key leaders.

B. Community Assistance

1. This Agency seeks recruitment assistance, referrals and advice from community organizations and other leaders in the community.
2. The Human Resources Department will be responsible to periodically contact, in person or in writing, key community organizations to request their assistance or advice in the recruiting effort, through referrals, or by publicizing existing or anticipated job vacancies.
3. City will provide such community organizations or leaders with the necessary information such as job postings, as deemed necessary.
4. The Human Resources Department will ensure that community service organizations periodically receive information regarding the on-going testing process for sworn officers, and information relative to vacancies in other positions when appropriate for the specific group.

C. The Agency will participate in on-site recruiting activities to include:

1. Youth oriented "career days" held at area schools or in other appropriate locations in Brevard County, or when sponsored by any community organizations within the City.
2. Recruitment at colleges with criminal justice or law enforcement related curriculum, outside the City, when approved by the Chief of Police.

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3. It is the responsibility of the Agency's Training and Recruiting Section to ensure that a qualified representative of the police department participates in these activities.

403.4 Job Announcement and Publicity

- A. The Training and Recruiting Section, acting in conjunction with the City's Human Resources Department, will be responsible for coordinating and implementing the advertising of on-going police officer testing. Job announcements will:
 1. Be maintained and administered by the City's Human Resources Department.
 2. Provide a description of the duties, responsibilities, requisite skills, educational level and other minimum qualifications or requirements.
 3. Be advertised in electronic, print or other media.
 4. Specifically designate the agency as an equal opportunity employer.
 5. Identify a specific application-filing deadline.
 6. Be posted with community service organizations.

403.5 Applications

- A. **Received by HR** - Applications will be received online through the NEOGOV system which automatically sends them to the Human Resources Department.
- B. **Forwarded by HR** - Human Resources will provide the Agency with applications as candidates for employment become eligible for consideration.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Selection Process	Order No: 404	
Rescinds: GO 404 Revised: 02/13/17	CFA 5th: 5.02, 9.02, 9.03, 9.05, 9.06	Revision: 02/13/19
Reference: FSS 943.13, 943.135, 775.08, CJST 11b, GO 406, BI-OM A404, <u>Disqualifying Convictions</u>.		
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404 Policy

- A.** It is policy to provide for an efficient, effective and fair selection process which results in the appointment of those individuals who best possess the skill, knowledge, background and abilities necessary for an effective and respected law enforcement agency.
- B.** The Training and Recruiting Section is responsible for serving as a liaison with the City of Palm Bay Human Resources Department for ensuring compliance with the provisions of this General Order and CJSTC requirements.

404.1 Authority - Nothing contained in this General Order will be construed to limit the authority of the Chief of Police or designee to approve or disapprove any applicant for employment with the Agency.

404.2 Definitions

- A. Misdemeanor FSS 775.085** - Any criminal offense that is punishable under laws of this state, or that would be punishable if committed in this state, by a term of imprisonment in a county correctional facility, except an extended

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term, not in excess of one year. Per FSS [775.083](#), a misdemeanor fine will not exceed \$1,000.

B. Felony - Any criminal offense that is punishable under the laws of this state, or that would be punishable if committed in this state, by death or imprisonment in a state penitentiary. A person will be imprisoned in the state penitentiary for each sentence that, except an extended term, exceeds one year.

C. Command Level Appointment - An individual selected who is either sworn or non-sworn and who is appointed and serves at the sole discretion of the Chief of Police. Such appointments are not subject to the standard selection process as provided in this directive. Such positions have command level responsibilities as determined by the Chief of Police.

404.3 Procedure - The Chief of Police will administer the agency's role in the selection process of employees. The Human Resources Director of the City of Palm Bay will be responsible for the administrative aspect of the process.

A. Human Resources Department - HR will be responsible for the following portions of the certified and civilian personnel selection process:

1. Prepare and post job vacancies, application procedures and submit advertisements for publication.
2. Coordinate with the Agency's Training and Recruiting Section to provide written minimum requirements and disqualifiers of posted positions to applicants.
3. Notify applicants in writing of the elements of the selection process, its duration and any city policy regarding re-application, re-testing and re-evaluation of the candidates not appointed.
4. Receive and log applications through close of posting which are completed by the applicant through NEOGOV.
5. Administer and provide the applicants with notification of eligibility examinations.
 - a. Sworn applicants who are selected to continue in the process by HR will complete the Ergometrics test which is developed by Frontline National Testing System.

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- b. Telecommunicator applicants who are selected to continue in the process by HR will complete the Crite-call testing which is conducted at Eastern Florida State College.
- c. Other civilian positions will complete a typing test if required for the position.
- 6. Review all pertinent oral and/or written examination questions to ensure compliance with state and federal regulations.
- 7. Notify applicants in writing of test results, ranking on register, failed testing, and/or disqualification for other reasons.
- 8. Tender job offers to successful candidates.
- 9. Process appropriate payroll, benefits, and other paperwork for new employees.
- 10. Provide general orientation for all new employees.

B. Training and Recruiting Section - Training and Recruiting Section will coordinate the certified and civilian selection processes of those candidates who are determined by the HR Director to be eligible for consideration. Applications for employment will be handled in the following manner:

- 1. The HR Department will forward qualifying applications to the Training and Recruiting Section based upon vacant positions or a number determined by the Chief of Police or designee.
- 2. Upon completion of the interviews, the supervisor/manager is to return the applications to the Training and Recruiting Section. The supervisor / manager will forward a memo outlining the interview process and candidate selection to the Chief of Police for his approval.
- 3. The Training and Recruiting Section will notify the Human Resources Department of the results of the interviews.
- 4. The applications of those candidates remaining in the process will be forwarded for background investigations. The remaining applications will be closed.

404.4 Minimum Qualifications for Certified / Auxiliary Officers

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A. Minimum Qualifications - Florida law mandates that any person employed or appointed as a Police Officer or Corrections Officer must possess the following minimum qualifications: [FSS 943.13](#)

1. Must be at least 19 years of age.
2. Must be a citizen of the United States at the time of application with the Human Resources Department.
3. Must possess a high school diploma or its equivalent as defined by the Criminal Justice Standards and Training Commission. Refer to CJSTC requirements.
4. Must not have been convicted of any felony or misdemeanor involving perjury or false statement. After July 1, 1981, any person who pled guilty or Nolo Contendere to or was found guilty of a felony or misdemeanor involving perjury or a false statement is not eligible for employment or appointment as an officer, notwithstanding suspension of sentence or withholding of adjudication.
5. Must not have received a Dishonorable or Undesirable Discharge from any branch of the United States armed forces.
6. Will have his/her processed fingerprints on file with the Agency. If administrative delays are caused by the Agency or the Federal Bureau of Investigation and they have complied with all other provisions of FSS943.13, they may be employed or appointed for a period not to exceed one calendar year from the date they were employed or appointed as a police officer or until return of the processed fingerprints documenting non-compliance with FSS 943.13, whichever occurs first.
7. Must have passed a physical examination by a licensed physician based upon requirements established by the Criminal Justice Standards and Training Commission.
8. Must be of good moral character, as determined by a background investigation, under procedures established by the CJSTC.
9. Must execute and submit to the Agency an Affidavit of Applicant adopted by the Commission, attesting to his/her compliance with items 1 through 8 above. The affidavit will be executed under oath and constitutes an official statement within the purview of [FSS 837.06](#). The affidavit will include conspicuous language that the intentional false execution of the affidavit constitutes a misdemeanor of the second degree.

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10. Will complete a course of basic recruit training or equivalency of training as established by the Criminal Justice Standards and Training Commission in the accordance with 943.17 FSS or be exempt under 943.131 FSS or item 11 below. Exceptional non-certified applicants may be selected and sponsored through the basic recruit academy at the discretion of the Chief and with approval of the Human Resources Director.

11. Must successfully complete the State Officer's Certification Examination (SOCE) established pursuant to FSS 943.17.

12. Comply with the continuing training or education requirements of FSS 943.135.

B. Agency Requirements - All certified / auxiliary applicants must meet minimum Agency requirements including, but not limited to, the following criteria:

1. **Age Requirement** - Certified applicants must be at least 19 years of age at the time of employment.

2. **Physical Condition** - Applicants must be in good physical condition with weight in proportion to physique and the ability to perform the physical duties required of a police officer.

3. **Psychological Screening** - Applicants will be required to undergo a psychological screening process to determine their suitability to perform their job.

4. **Polygraph Examination** - Applicants will be required to undergo polygraph examinations. The polygraph examination will be one method of uncovering behavior that may require further investigation.

5. **Traffic History** - Applicants' driving histories will be evaluated to determine any patterns of poor driving behavior, with particular regard to the nature of or recurrent number of respective violations. Such reviews may include all license suspensions, revocations, preventable crashes and any mitigating circumstances.

6. **Physical Examination and Drug Screening** - All applicants will be required to undergo a medical examination, to include drug screening, to detect indications of any substance abuse or chemical dependency.

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7. **Background Investigation** - All applicants must successfully complete the background investigation before final approval is made by the Chief of Police or designee.
8. **Oral Review Board** - Applicants who have met the minimum standards listed in GO 404.6 prior to completion of the background process will be scheduled to be interviewed by an Oral Review Board which consists of the Support Services Commander, Lieutenant, and the Training Sergeant or designees.

404.5 Certified / Auxiliary Personnel Selection Process

- A. **Process** - Current law enforcement certified / auxiliary applicants seeking full-time employment will be advised they need to meet the same minimum requirements as advertised or presented in the original job announcement. Applicants submitting incomplete applications will have their application suspended in the process until all required documentation is submitted. Applicants will also be advised of the requirement to participate in and successfully complete all stages of the selection process which is outlined in GO 404.4 B.
- B. **Eligibility** - Applicants in the selection pool will remain eligible for employment consideration for a period of one year from date of testing unless eliminated by a Standards violation or for not successfully completing the background investigation or oral board interview. Human Resources will also issue extra points, and update the listing of candidates, as applicants provide notification and documentation on advanced education, Florida law enforcement certification and Veterans' Preference.
 1. **Background Investigation** - All certified / auxiliary applicants must complete a background investigation and produce job-relevant information about past behavior, education, performance, and other critical factors that are important in the overall selection process. Candidates are required to produce past performance evaluations and discipline records. Failure to provide the agency with requested information and to meet deadlines and appointments may result in application disqualification. The background investigation is conducted in accordance with CJSTC guidelines and also includes a neighborhood investigation, and any other pertinent information regarding the applicant's suitability for the position. Refer to CJSTC. [OMA 404](#)
 2. **Phone Interview** - Due to the large number of potential applicants, pre-screening phone interviews may be conducted. There will be four pre-selected questions related to the position asked by a panel of two

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persons. The same questions will be used for each applicant to maintain consistency. Each individual rater will **independently** score each applicant's response on a scale of one to five as follows:

- a. 1 is poor
 - b. 2 is weak
 - c. 3 is fair
 - d. 4 is good
 - e. 5 is excellent
3. After all the applicants have been interviewed; each rater will total the scores on each applicant's interview form. The maximum number of points possible is 40. A minimum of 24 points is required to move forward in the selection process.
4. **Interview** – Applicants who appear to meet Standards will interview with a minimum of three persons who will consist typically of the following:
- a. Support Services Commander or designee.
 - b. Support Services Lieutenant or designee.
 - c. Training Sergeant or designee.
5. **Process** - The three Board members will ask a total of 10 pre-selected questions related to the position to each applicant. Applicants will also be scored on professional appearance and presentation skills. The three board members will use the same questions for each applicant to maintain consistency. Each individual board member will **independently** score each applicant's response on a scale of one to five as follows:
- a. 1 is poor
 - b. 2 is weak
 - c. 3 is fair
 - d. 4 is good
 - e. 5 is excellent

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6. After all the applicants have been interviewed; each board member will total the scores on each applicant's interview form. The maximum number of points possible is 180. A minimum of 108 total points is required to move forward in the selection process.
7. The Division Commander has the option to choose from the top two scoring applicants.
8. The Police Chief or designee may subsequently request a Conditional Offer be issued to the candidate from the Police Department.
9. **Polygraph** - Applicants with conditional offers will be administered Polygraph examination(s) as determined by the Training and Recruiting Section Commander.
10. **Emotional and Psychological Fitness Examination** - Applicants with conditional offers will undergo an emotional and psychological fitness examination conducted by a licensed psychologist trained in law enforcement assessment. Upon successfully completing the psychological examination, the applicant's file will be referred back to the background investigator for completion of the background investigation. Psychological examination reports will be maintained in a secure confidential file.
11. **Roundtable** - When the background investigation and post conditional offer exams are completed, the Training and Recruiting Section will schedule a roundtable with Senior Staff representatives to review applicants. The HR Director, or designee, will be included. The Police Chief may approve or deny the applicant dependent on the vacancies of that are present. Those applicants receiving endorsement are eligible to proceed to the next step.
12. **Medical Exam/Urinalysis Screen** - The applicant will undergo a urinalysis screen for controlled substances, in accordance with Florida Department of Law Enforcement Rule 11B-27.00225, and a medical examination to determine fitness for duty.
13. **Final Recommendation** - Upon final endorsement of the HR Director, acting upon the recommendation of the Police Chief and the approval of the City Manager, candidates are notified of their successful completion of the personnel selection process. Candidates are provided with an employment date by HR and referred to report to them for initial processing.

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C. Sponsorships - The Police Chief may elect, based on the Agency's current and anticipated operational needs, to sponsor individuals through a Law Enforcement Academy. This can be accomplished by one of three processes:

1. **Simple Sponsorship** - The Police Chief may, at his or her discretion, notify an Academy in the State of Florida that the Agency endorses the individual's attendance at the training center. This commitment does not involve any commitment to employment or financial support from the City. Candidates who are endorsed must, at minimum, satisfy acceptance standards established by the training center.
2. **Non-Employment Sponsorship** - The Police Chief may, at his or her discretion, pay tuition, uniform and equipment expenses of individuals sponsored at a basic recruit academy by the Agency. Individuals obtaining this level of sponsorship are not City employees but have expressed a strong interest in gaining employment with the City as a Law Enforcement Officer. Additionally, individuals in this program must successfully pass police testing administered by the City's HR Department. These individuals will be expected to sign a commitment of agreement to reimburse the City for expenses paid if not employed by the City within one year of graduation from a Florida Law Enforcement academy.
3. **Employed Sponsorship** - The Police Chief may elect to employ individuals in or about to attend an academy. Eligible individuals will be required to satisfy the City's testing and selection requirements as outlined in this General Order. Individuals in this program will also be required to sign employment contracts as defined by the City.

404.6 Standards for Certified / Auxiliary Personnel

- A. Character** - Applicant must demonstrate good moral character with respect to sobriety, honesty, maturity, responsibility, loyalty, trustworthiness, reliability, motivation, discretion and associations. These characteristics must also be demonstrated during the hiring process.
- B. Work History** - Applicant must have a stable work history free from a pattern of disciplinary actions, suspensions, terminations, resignations or multiple periods of unemployment. Terminations for cause are reviewed on a case-by-case basis and may result in disqualification.

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C. Military Service Record - If a Veteran, applicant must possess an Honorable Discharge or General Discharge under Honorable Conditions from any of the Armed Forces of the United States. A Dishonorable Discharge is not acceptable.

D. Driving License - Applicant must possess a valid Florida Driver's License prior to employment and have an acceptable driving record.

E. Driving Record

1. Applicant will be disqualified for traffic convictions under any of the following conditions:

a. One conviction within five years prior to the date of application for:

- Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle; OR
- Failing to stop and render aid, (as required under state and federal law), in the event a motor vehicle accident resulting in the death or injury of another; OR
- Driving a motor vehicle or being in actual physical control while having unlawful blood alcohol level or while under the influence of alcoholic beverages or any substances controlled under any state or federal law.
- Attempting to elude police.

b. One conviction within three years prior to the date of application for:

- Driving a motor vehicle while driver's license is suspended or revoked for reasons other than financial responsibility; OR
- Reckless driving; OR
- Making a false accident report.

2. No more than three moving traffic citations within three years of date of application, which will be considered on a case-by-case basis.

3. A chargeable crash within three years of date of application will be considered on a case-by-case basis.

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4. Traffic conviction record, with points accumulated resulting in the suspension of a driver's license within three years prior of the date of application.
5. Suspended or revoked driver's license for one of the following reasons within one year prior to the date of application:
 - a. Failure to attend a court ordered driving school; OR
 - b. Failure to pay two or more traffic fines.
 - The circumstances resulting in the non-payment of only one traffic fine will be evaluated on an individual basis and may not disqualify the applicant; OR
 - c. Financial responsibility, (insurance cancellation, etc.), will be evaluated on an individual basis and may or may not disqualify an applicant.
 - d. Failure to submit to a chemical test for intoxication may disqualify the applicant upon review.
 - e. Convictions by City definition will include a plea of "no contest," or a judicial decision to withhold adjudication. Cases listed beyond the time frame noted will be considered on a case-by-case basis, as well as the "totality" of the applicant's driving history.

F. Criminal Conduct - Applicants will be disqualified if:

1. Applicant has been convicted of a felony crime; OR
2. Applicant has been convicted of any crime, as listed in Section A, within three years of the date of application; OR
3. Applicant has been convicted of ANY offense, which can be considered domestic violence; OR
4. Applicant committed a felony crime within five years of the date of application; OR
5. Applicant committed a misdemeanor crime within three years of the date of application, which will be handled on a case-by-case basis; OR
6. Applicant has any pending misdemeanor or felony charges; OR

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7. Applicant's other criminal activity or history that may or may not disqualify them, but will be handled on a case-by-case basis; OR
 8. Applicant who admits to having engaged in any criminal acts (whether detected or undetected) will have those acts reviewed on a case-by case basis; OR
 9. Applicants will be disqualified if convicted, at any time, for the crimes of perjury, lascivious acts/exposure of sexual organs, prostitution, stalking, and manufacturing and/or sale/delivery of controlled drugs.
- G. Drug Use** - Applicant will be disqualified if they have been involved with drugs under any of the following conditions:
1. Any more than occasional past use of marijuana, and not within three years of the date of application.
 2. Any more than experimental past use of cocaine, and not within five years of the date of application.
 3. The manufacture or trafficking of any illegal drug substances is unacceptable.
 4. Any more than isolated past experiences with amphetamines, barbiturates, inhalants, or designer drugs such as GHB, Rohypnol (Roofies), Ecstasy, Special K (Ketamine), etc., or abuse of any prescription drugs, and not within five years of application.
 5. Any more than one cycle of steroids, and not within five years of application.
 6. Any more than isolated past use of heroin or hallucinogens such as LSD, PCP, Ice, Mescaline, and Psilocybin (mushrooms), opium, etc. and not within five years of application.
 7. Past sale(s) for profit of any illicit or illegal drug. Delivery not for profit may be cause for disqualification.
 8. Any use of illicit or illegal narcotics after having been employed by a police or corrections agency, or in police or corrections capacity, (including Military Police Officers).
 9. Any use or abuse of any illegal or prescription drug, not specifically identified in this section, may be cause for disqualification.

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10. The "totality" of an applicant's lifetime drug use may be cause for disqualification.

11. All other applicant drug use will be evaluated on a case-by-case basis. These are guidelines and are not limited to the drugs listed.

H. False Information - Any applicant will be disqualified if they have knowingly presented false oral or written information during their consideration for employment. False information detected after employment will be grounds for dismissal.

I. Probationary Period - As provided for in the Personnel Policies and Regulations and/or in the current Collective Bargaining Agreement, all newly hired officers will serve a minimum one-year probationary period.

J. Administrative Instructions

1. The HR Department will maintain documentation, which demonstrates the job relatedness and unbiased nature of all portions of the selection process.
2. All elements of the selection process will be administered, scored, evaluated and interpreted in a uniform manner.
3. Individuals assigned to conduct background investigations will be trained in the collection of the required information.
4. Background investigation records of those individuals selected as police officers will be maintained in a locked and secured storage area as part of the officer's permanent record.
5. Background investigations of those applicants not selected will be maintained for at least four years and then may be destroyed in accordance with Florida Public Records Law.
6. All applicants will be provided with a list of areas from which Polygraph examination questions will be drawn, prior to the examination. Records of all medical and psychological examinations on selected individuals will be sent to HR to be maintained in the member's secure confidential medical file. Access to these records will be limited to those individuals legally entitled to review them.

404.7 Standards for Civilian Personnel

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- A. Age** - Applicant must be at least 18 years old. Exception to special programs approved by the Chief of Police and the Human Resource Director.
- B. Citizenship** - Applicant must be a United States citizen or legal resident alien.
- C. Education** - Education is dependent upon minimum requirements for the position as reflected in the Job Description.
- D. Work History** - Applicant must have a stable work history free from a pattern of disciplinary actions, suspensions, terminations or resignations. Terminations for cause will be reviewed on a case-by-case basis and may result in disqualification.
- E. Military Service Record** - If a Veteran, applicant must possess an Honorable Discharge or General Discharge under Honorable Conditions from any of the Armed Forces of the United States. A dishonorable discharge is not acceptable.
- F. Driver's License/Record**
 - 1. If a driver's license is required under minimum requirements of the Job Description, the applicant must possess a valid Florida driver's license and have an acceptable driving record.
 - a. No more than three moving citations within three years prior to date of application, which will be considered on a case-by-case basis, (includes a plea of "no contest" or a judicial decision to withhold adjudication).
 - b. A chargeable accident within three years of date of application will be considered on a case by case basis.
 - 2. Candidates will be immediately disqualified from consideration if convicted of the following within the past three years of application, (convictions by City definition will include a plea of "no contest" or a judicial decision to withhold adjudication):
 - a. Driving while intoxicated or under the influence of drugs or alcohol.
 - b. Failure to stop or report an accident.
 - c. Homicide, manslaughter or assault arising out of the operation of a motor vehicle.

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- d. Driving with a suspended or revoked license, (exception: suspension for financial responsibility will be considered on a case by case basis).
- e. Reckless driving.
- f. Attempting to elude a law enforcement officer.
- g. Making a false accident report.
- h. Cases listed above that are beyond three years of application will be considered on a case-by-case basis.

G. Criminal Conduct - Applicant will have NO:

- 1. Felony convictions within the last five years.
- 2. Misdemeanor conviction(s) within the last three years will be considered on a case by case basis.
- 3. Applicants who admit to having engaged in any criminal acts will have those acts reviewed on a case-by-case basis. Applicant will be disqualified if convicted any time of crimes of perjury, lascivious acts/exposure or sexual organs/prostitution, stalking, and manufacturing and/or sale/delivery of drugs.

H. Drug Use - Applicant will be disqualified if they have been involved with drugs under any of the following conditions:

- 1. Any more than occasional past use of marijuana, and not within three years of the date of application.
- 2. Any more than experimental past use of cocaine, and not within five years of application.
- 3. The manufacture or trafficking of any illegal drug substance is unacceptable.
- 4. Any more than isolated past experience with amphetamines, barbiturates, inhalants or designer drugs such as GHB, Rohypnol (Roofies), Ecstasy, Special K (Ketamine), Steroids, etc., or abuse of any prescription drugs, and not within three years of application.

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5. Any more than experimental past use of heroin, or hallucinogens such as LSD, PCP, Ice, Mescaline, Psilocybin (Mushrooms), Opium, etc., and not within five years of date of application.
6. Past sale for profit of any illicit or illegal drug. Delivery not for profit may be cause for disqualification.
7. Any use or abuse of any illegal or prescription drug, not specifically identified in this section, may be cause for disqualification.
8. The “totality” of an applicant's lifetime drug use may be cause for disqualification.

(**Note:** All other applicant drug use will be evaluated on a case-by-case basis. These are guidelines and are not limited to the drugs listed in this package.)

- I. **False Information** - Applicant will be disqualified if they knowingly present false oral or written information during their consideration for employment. False information detected after employment will be grounds for dismissal.
- J. **Background Investigation** - Applicant must complete a background investigation and produce job-relevant information about past behavior, education, performance, and other critical factors that are important in the overall selection process. Civilian applicants will be subject to warrants checks; fingerprint checks local records checks and prior employment research. Candidates are required to produce past performance evaluations and discipline records. Failure to provide the agency with requested information and to meet deadlines and appointments may result in application disqualification.
- K. **Truth Verification Examination** - Applicants must submit to Polygraph or Voice Stress Analysis (VSA) and satisfactorily explain any and all deceptions noted by the examiner. The results of the Polygraph or Voice Stress Analysis (VSA) will not be the single determinate in the selection or rejection of applicants.
- L. **Psychological Examination** - Communications Division Manager, Communications Shift Supervisor, Telecommunicator, Lead Victim Advocate, Victim Advocate and Crime Scene Technician applicants must receive an acceptable psychological evaluation administered by a licensed Psychologist.
- M. **Medical Examination** - Communications Division Manager, Communications Shift Supervisor and Telecommunicators must successfully pass an

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audiogram. Crime Scene Technicians and School Crossing Guard applicants must successfully pass a complete physical.

- N. Drug Test** - Applicant must pass a drug test as determined by the City's Drug Free Workplace Policy or appropriate Collective Bargaining Agreement.
- O. Character** - Applicant must demonstrate good moral character with respect to sobriety, honesty, maturity, responsibility, loyalty, trustworthiness, reliability, motivation, discretion and associations. These characteristics must also be demonstrated during the hiring process.
- P. Interview(s)** - The process will be the same as listed above in 404.5 B (sections 2-6).
- Q. Typing and Computer Skills Test** - If required for the position, applicant must pass the typing test and computer skills test.
- R. Rejections** - Those applicants who fail any single test or examination will be notified of their status by the Human Resources Department.
- S. Written Notification** - Should it be determined that any applicant fails to meet the standards of employment of the Palm Bay Police Department, the HR Analyst II will be notified in writing and will, in turn, notify the applicant of his/her status.

404.8 Records Retention

- A. Procedure** - Background investigations and/or applications of those individuals processed, but not hired, will be retained for a minimum of four years. Thereafter, the records will be disposed of in accordance with the State of Florida, General Records Schedule GS1-L for Local Government Agencies, Item# 24.
- B. Security of Files** - Psychological, medical evaluations, and polygraph reports containing medical information on applicants and employees will be maintained and secured at the Human Resources Department in accordance with the Florida Public Records Law.

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Subject: Training	Order No: 405	
Rescinds: GO 405 Revised: 5/30/18	CFA 5th: 10.01, 10.02, 10.04, 10.06, 10.08, 10.11	Revised: 08/19/19
Reference:		
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405 Policy

- A.** The Agency is to maintain a high standard of employee performance through an active, current and thorough training program. The purpose of this policy is to establish procedures to identify training needs, schedule or prepare courses, identify the responsibilities of Agency members, and ensure that proper planning, implementation, documentation, and review of completed training is maintained.
- B.** This order establishes training procedures for all Agency members. Every member must realize that training is a critical factor to our individual and collective knowledge, skills, and ability to reach Agency goals and objectives.
- C.** All members of the Agency are encouraged, in addition to Agency training, to further their formal education for the purpose of increasing their ability and potential within the law enforcement profession and for the purpose of meeting, more fully, the demands of their duties to the community.

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- D. The Training and Recruiting Unit, or specifically the Training Unit, is responsible for the overall Agency training program and related records management.

405.1 Definitions

- A. **CJSTC** - Training Programs recognized by the Florida Department of Law Enforcement, Criminal Justice Standards and Training Commission:

1. **Basic Recruit Training Program** - Designed for individuals who are entering the law enforcement, correctional, correctional probation profession, and are developed by the Criminal Justice Standards and Training Commission (herein after referred to as the "Commission") based on job and task analyses of each discipline. Refer to Florida Administrative Code and FSS 943.
2. **In-service Training** - Courses developed by criminal justice agencies based on local agency needs. In-service training courses or programs will not be part of the programs or courses established by the Commission pursuant to [943.17 FSS](#), nor will they be used to qualify an officer for salary incentive payment provided under [943.22 FSS](#). Refer to Florida Administrative Code, Rule 11B-27 and FSS 943.
3. **Advanced Training Courses** - Courses designed to increase an officer's knowledge, skills, and abilities to perform the job. Each course covers one major topic and is a minimum of 40 hours. Refer to Florida Administrative Code, Rule 11B-27 and FSS 943.
4. **Specialized Training Programs** - A certified criminal justice training school or local agency may deliver the Commission's Specialized Menu Training Program. The Menu is designed to use Commission-approved categories, topics, and objectives that encompass subject matter pertinent to training with the criminal justice field. Training courses will be developed by applying a "menu" concept to fulfill local training needs and to satisfy identified training needs. Refer to Florida Administrative Code Rule 11B-27 and FSS 943.
5. **Academic Courses** - Courses completed at accredited universities, colleges, community colleges, and vocational-technical schools. May not also be used for salary incentive credit per Florida Administrative Code, Rule 11B-27 and FSS 943.

- B. **Training Programs** recognized by the Agency:

1. **In-service Training** - This is training that is developed based on the needs of the Agency. This includes all Agency-sanctioned training. Training is

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designed to increase an employee's knowledge, skills, and abilities. The training cycle extends from October 1 to September 30 of each year.

2. **Specialty Team or Unit Training** - Training that is provided to Agency specialty teams or units. This is training that is created and provided during normal team training days.
3. **Outside** - Outside training is normally attended by an employee by submitting a school request form. Most commonly, outside training is received through other organizations. Occasionally, the Agency will host an outside training course for employees and outside guests to attend. This definition includes any training that prepares an employee for a specialty position, promotional opportunity, or other particular job skills/knowledge.
4. **Advanced Training** - Courses designed to increase an officer's knowledge, skills, and abilities to perform the job. Each course covers one major topic and is a minimum of 40 hours.
5. **Prior to Hire** - Training and education achieved prior to an employee being hired by the Palm Bay Police Department.
6. **Position Training** - Employees who elect to apply for special assignments or seek supervisory positions are encouraged and should attend courses that will improve their skills and abilities in order to succeed in their chosen career path. Supervisors are encouraged to meet with their employees to evaluate their individual training needs in order to improve skills and abilities or to assist them in their individual career development.
7. **Remedial Training** - The need for remedial and/or additional training arises occasionally and is identified by testing or personnel evaluations. A deficiency in the knowledge, skills, and abilities of the officer or civilian is to be documented by instructors, training officers, and supervisors.
8. **Scenario Training** [OMB 405](#)

405.2 Training in General

- A. **Agency Orientation** - New member orientation will include at minimum, the agency's role and purpose in the community, its goals, policies and procedures, working conditions/regulations, the employee's rights and responsibilities, and the accreditation process. Orientation training will be completed within the first month of employment.
- B. **Training Programs** - Personnel will be trained according to procedures established for that respective position. Those positions not reflected below

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will be trained according to procedures established by the respective Division Commander and Unit Manager as it relates to job duties and responsibilities.

1. Sworn personnel will be trained according to the Field Training and Evaluation Program as outlined in FTEP manual [OMC 405](#). Appointed Corporals and promoted Sergeants will be trained according to the Supervisor's Training Manual [OME 405](#).
2. Telecommunicators and Communications Section personnel will be trained in accordance with the Communications Training Officer Program, (CTO) as outlined in the CTO Training Manual [OMC 302](#).
3. Records Specialist personnel will be trained in accordance with the Records Operating Manual [OMA 305](#).
4. Materials Management personnel will be trained in accordance with the Property Evidence Operating Manual [OMA 701](#). Personnel will also be trained in accordance to the Policies and Procedures governing City purchasing.
5. Crime Scene Technicians will be trained in accordance with the Crime Scene Operating Manual. Crime Scene Interns will be trained as provided in the Crime Scene Investigations Training Manual [OMB 602](#).
6. Desk Booking Specialists will be trained in accordance with the DBS [GO 503](#), Prisoner Care [GO 211](#) and the FTEP Training Manual, [OMC 405](#).
7. Volunteer Citizens Observers Program (VCOPS) will be trained according to VCOP [OMA 801](#). VCOPs will receive specific training in accordance with their assignment.
8. Police Explorers will be trained according to [OMB 805](#).
9. Training Coordinator will be trained in accordance with the Operating Manual, Florida State Statute, Florida Administrative Rules and [OMA 405](#).
10. Background Investigator will be trained in accordance with the Operating Manual, Florida Statute, Florida Administrative Rules and [OMA 404](#).
11. Program Specialist will be trained in accordance with Policies and Procedures governing the financial processes for the City and [GO 108](#).
12. The Crime Analyst will be trained in accordance with current crime analysis, [GO 308](#).

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13. Victim Advocates will be trained according to programs governing victim advocacy, [GO 802](#) and [OMA 802](#).

14. School Crossing Guards will be trained as outlined in [OMA 507](#).

405.3 Remedial Training

- A. Remedial training of an employee will take place when a specific deficiency has been identified by testing and/or evaluation during in-service training, performance evaluation process, or errors of performance in a specific noted area. Remedial training will be broken down to two different criteria:
 - 1. **Critical tasks:** Hi liability topics including but not limited to Firearms, EVOC, etc.
 - 2. **Non-critical tasks:** Report writing, geography, etc.
- B. The needed remedial training may be noted by Staff members, training officers, training staff, and/or through staff inspections. If the deficiency is that of an operational nature, the remedial need will be accomplished by the individual's supervisory chain-of-command. If the remedial need is of an administrative or technical nature, a member of the Training Unit will plan, administer and document training. Records of remedial training will be maintained by the Training Unit, and in the members training file.
 - 1. The training officer facilitating the remedial training will complete a **Remedial Training Memorandum** which will be presented to the member receiving the remediation prior to the training taking place.
 - 2. The member will sign, in acknowledgment, of the remedial training and have the opportunity to make a written response on the memorandum.
 - 3. The Training Unit Sergeant will complete a memo to the Chief of Police explaining the outcome of the remediation along with the Remedial Training Memorandum via the Training Unit's Chain of Command.
 - 4. Once signed, all remediation documentation will be maintained in the member's training file.
- C. The timetable for remedial training will be based on whether the training needed is a critical task, (e.g. firearms qualification, emergency vehicle operations), or non-critical task, (e.g. report writing), and whether or not the employee has completed his/her probationary period.

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1. Critical tasks: Remedial training on high liability topics will begin immediately, or as soon as feasible, and before the employee is expected to perform duties requiring proficiency in said tasks.
 2. Non-critical tasks: Remedial training will begin within 30 days, or as soon as courses/training sessions on said tasks become available, and no later than three months.
- D. All members assigned to remedial training will participate. Failure to do so will result in disciplinary action up to, and including, dismissal.
- E. All members who fail to qualify with an Agency authorized weapon will be assigned to the Training Unit for remedial training and will not return to their regular duty assignment until qualification requirements are met. Sworn officers and DBS II who fail to qualify with their duty firearm will be assigned to the Training Unit for remedial training and will not be allowed to return to their normal duty assignment until qualification requirements are met. [GO 202](#).

405.4 Attendance and Documentation

- A. **Employees will be held accountable for attending scheduled training.** An employee who misses any part of mandatory training, (Agency, State or federally mandated), will be required to retake it. Failure to attend mandatory retraining within the defined training cycle may result in reassignment of duties and disciplinary action, ranging from a written reprimand to termination.
- B. **Employees must report all absences from training and the reason to their supervisor.** Absence from training must be approved by the employee's supervisor and reported to the Training Unit. Supervisors will attempt to reschedule their employees to missed In-service training through the Training Unit. Unexplained absences may result in disciplinary action.
- C. The Training Coordinator must be notified immediately of a cancellation or anticipated absence of outside training.
- D. Training Records will be maintained in accordance with the [OMA 405](#). The Training Unit will maintain a record for each in-service training class conducted, to include:
1. Name or Title of Course
 2. Course content
 3. Name of entity hosting the training
 4. Date training occurred

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5. Number of hours of the course
 6. Course outline
 7. Copy of class rosters or sign in sheets
 8. Performance of individual participants, if applicable
 9. Name of the instructor(s)
 10. Letters or memoranda, if applicable
 11. Certificates of completion, if applicable
- E. Lesson Plans** for training courses administered by the Agency will include the following elements:
1. Statement of student performance objectives
 2. Training content
 3. Appropriate instructional techniques
 4. Proper lesson plan format
 5. Approval by the Training Unit Lieutenant, or Chief of Police if a high liability topic
 6. Identification of tests, if used
- F.** Lesson plans are to be submitted to the Training Sergeant no less than 10 calendar days prior to the scheduled training for review and approval.
- G.** The Training Unit is the official repository for training records, including those of specialty units or teams. Specialty Team Unit Commanders of: SWAT, URT, CNT, K-9, Traffic and the Volunteer Program are responsible for forwarding all records of team training to the Training Unit, each month. Team training records will include those elements addressed in 4(a) through 4(k) above.
- H.** It is realized that actual training may not be the training that had been projected. Inclement weather or instructor availability may cause training to be rescheduled, changed or cancelled. It is critical that training records document the “actual” training that was conducted.

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- I. Any other Unit within the Agency conducting training will also forward like training documentation to the Training Unit. Any incomplete information will be returned to the respective unit or team for corrective action to ensure compliance with these objectives.

405.5 Conduct - Employees engaged in training activities approved by the Agency will be considered on-duty and will conduct themselves in accordance with Agency standards of conduct.

A. Training Classroom Conduct - The following rules apply to all members attending training activities:

1. Members are prohibited from eating or drinking while engaged in training activities, unless specifically authorized by the instructor.
2. The use of any tobacco products, in any form, is prohibited within the Agency training room.
3. Members will place all electronic communication devices into a silent mode and will refrain from using such devices.
4. In-service instructors and supervisors will take appropriate actions necessary to ensure compliance with Agency standards of conduct.

B. Dress Code - Members will attend in-service training activities in their training apparel as directed by the Training Unit.

C. Members attending activities offered by other agencies or institutions will ascertain and comply with the dress attire authorized for the course.

405.6 Department Required Training

A. Department Required Training - Agency Staff will establish within this policy training topics that are deemed required each year. This policy will establish the training topic, number of hours dedicated to each topic, or proficiency requirements, and identify what positions will be required to attend. This will be based upon both position assignments and rank. This policy should be reviewed each year as annual training projections are being developed.

1. **Use of Force** - Refresher training will be conducted on the Agency's Use of Force policy as part of the annual firearms, less lethal and defensive tactics training. Legal updates will also be included, if applicable.
2. **Firearms annual daylight conditions** - All sworn and Desk Booking Specialist II members are required to demonstrate their proficiency in the use of firearms once a year. Failure to qualify with the Agency's issued

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firearm will result in additional training by an Agency FDLE certified firearms instructor. If the officer fails to qualify after remedial training, disciplinary action may occur up to and including dismissal. A report will be made to the Chief of Police.

3. **Secondary Firearm** - Officers and DBS II are required to demonstrate proficiency in the use of their secondary firearm, (back up), once a year. Failure to do so will result in additional training by an Agency FDLE certified firearms instructor. If the member fails to qualify after remedial training, they will not be allowed to carry that weapon. A report will be made to the Chief of Police.
4. **Long gun** - Failure to qualify annually with the Agency-approved rifle and/or shotgun will prohibit its use. A report will be made to the Chief of Police.
5. **Issued Non-Lethal Weapons** - All sworn and Desk Booking II personnel issued Less Lethal Weapons: baton, chemical agent, less lethal munitions, and Taser, will be required to demonstrate proficiency with all items with exceptions of chemical weapons and the Taser. The proficiency testing and remedial instruction will be conducted on an annual basis. If the individual fails to meet the minimum standard, a report will be made to the Chief of Police.
6. **Defensive Tactics** - Proficiency training will be provided annually for sworn first responder uniformed officers and Desk Booking Specialists. This training is to include the Use of Force Policy and written test.
7. **Precision/Basic and Pursuit Driving, (EVOC)** - Proficiency requirements are to be demonstrated, biennially. All sworn first responder uniformed officers who are assigned marked patrol units are required to participate. This training will include review of the Agency's pursuit policy and stop stick training.
8. **Hazardous Materials, Blood borne Pathogen and Right-to-Know** - refresher training will be conducted **biennially**. All "at risk" employees are required to participate, as defined in [OMA 415](#), including those who are certified as well as those members assigned to MMU and CST.
9. **CPR/A.E.D.** - (Defibrillator) training will be conducted on a biennial basis. All sworn personnel and Desk Booking Specialists are required to meet proficiency requirements.
10. **First Aid** - Training will be given to all sworn first responder uniformed officers and Desk Booking Specialists on a biennial basis. Proficiency in this area will be demonstrated.

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B. State Mandatory Retraining - The Agency will ensure certified personnel receive training in those areas of instruction deemed mandatory by the Florida Department of Law Enforcement, Criminal Justice Standards and Training Committee. Refer to Florida Administrative Codes, Rule 11B-27 and FSS 943.

1. State mandatory retraining for full time and part-time law enforcement or correctional members will successfully complete 40 hours, every four years of continuing training or education. This training will be job-related and consistent with the needs of the Agency. The Commission requires this training include Human Diversity; Domestic Violence; Juvenile Sexual Offender; Discriminatory Traffic Profiling or Safe and Legal Traffic Stops and Use of Force.
2. As part of Florida's Domestic Security Initiative and at the direction of State Domestic Security Work Group, the Commission approved the incorporation of Weapons of Mass Destruction, (WMD), and Incident Command Systems, (ICS), training into the Mandatory retraining requirements for all certified law enforcement officers. This is a one-time requirement. There is no hour requirement for the WMD or ICS training.
3. All certified, communications and other "essential" emergency personnel are required to complete the National Incident Management System, (NIMS), awareness course, IS 700 as promulgated by the Homeland Security Presidential Directive/Hspd-8, subject: National Preparedness. Compliance is to be fulfilled based on scheduled mandates.
4. The Agency will be responsible for reporting this training through FDLE's Automated Training Management System, (ATMS2).
5. Agency members will receive annual training and/or operational exercises of situations of an emergency nature that result from disasters, civil disturbances, and civil defense emergencies.
6. This training will be documented and made a part of the training records as well as the individual's training records.

C. Training Program Testing

1. Competency-based testing will be used on select in-service training courses. Skills which can be demonstrated will be graded utilizing a Pass/Fail scoring.
2. All written examinations covering high liability subject matter will be scored using the Pass/Fail method of scoring. All other tests administered will be scored with an 80% as the passing score.

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3. An employee will retest until they have successfully passed the respective test and the scoring parameters established for said test (subject matter).
4. Assessment Center testing may be used with the approval of the Chief of Police.

405.7 Outside Training

- A.** Outside Training is considered secondary training to Agency and Statutory Mandatory Training requirements. Members that become deficient or late in completing Agency required training will not be approved to attend advanced training, except for the benefit of the Agency and as determined by the Division Commander.
- B.** A Division Commander may authorize the expenditure of funds for training that is recommended for an employee by a Division Commander which is considered necessary, but not mandatory, to assist the employee in meeting the mission of the Department and/or to improve the employee's specific skills or general performance.
 1. Expenses for travel or per diem will be as specified in City Policy and Procedures and in the Agency's Training Operating Manual.
 2. Travel Reimbursement - Employees wishing to attend a school or conference must complete a school request form as outlined on the document and submit the same through the chain of command to the Training Unit secretary.
- C.** A Division Commander may authorize training not involving the expenditure of funds recommended for an employee by his/her supervisor which is considered necessary, but not mandatory, to assist the employee in meeting the mission of the Agency and/or to improve the employee's specific skills or general performance.
- D.** An employee who is approved and scheduled to attend Outside Training and who must withdraw their registration will notify the Training Coordinator by email as soon as possible, stating the reason for the withdrawal. The employee's Division Commander, or supervisor, may recommend another employee to attend, if substitution is allowed.
- E.** Specialized Training is designed to enhance the knowledge, skills, and abilities in the particular specialized field based on Job Descriptions and special task assignments. The following certified positions require specialized training in outside training classes:
 1. Executive level management.

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2. Supervisory level personnel.
 3. Special Weapons and Tactics Team.
 4. Crisis Negotiation Team Members.
 5. K-9 Officer.
 6. Field Training Officer.
 7. Detective.
 8. School Resource Officer.
 9. Traffic Officer.
 10. CRU Officer.
 11. Armorer.
 12. Instructor.
 13. Underwater Recovery Team Member.
 14. Breath Test Operator.
 15. Agency Inspector.
 16. Training Officer.
- F. Specialized Training for Civilian Personnel - Training required prior to and subsequent to assuming respective job responsibilities based on Job Descriptions.**
1. Supervisory level personnel.
 2. Communications Training Officer.
 3. Instructor.
 4. Background Investigator.
 5. Training Coordinator.
 6. Crime Analyst.

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7. Material Management, (Property and Evidence).
 8. Volunteer Citizens on Patrol, (VCOPs), and other volunteers.
 9. Crime Scene Technician.
- G. Scheduled Specialized Training** - This level of training should commence within ninety days of the individual's assignment to the specialized field. The type and length of training will be at the discretion of the immediate supervision or management.
- H.** In addition to developing specialized skills, personnel assigned to specialized positions will be made aware of the administrative requirements and relationship of their position with other parts of the Agency.

405.8 Salary Incentive

- A.** Section 943.13FSS (www.fdle.state.fl.us) establishes the requirements of salary incentive payments for officers to continue their professional development. All full time certified law enforcement and correctional personnel are eligible for salary incentive payments.
- B.** Certified officers are allowed to receive maximum salary incentive payments for \$130.00 each month for completion of Commission-approved Advanced, Specialized, and Career Development Training Courses, and education training. Funding salary incentive payments is the responsibility of the employing agency. Refer to the CJSTC Policies and Procedures Manual, Salary Incentive Section.
- C.** A copy of the FDLE Advanced Training Certificate is to be sent to the Training Secretary for subsequent processing of salary incentive monies upon the completion of an Advanced Training Program.
- D.** When seeking Higher Education Salary Incentive, the officer must submit a copy of the Degree Certificate along with an official college transcript to the Training Coordinator for subsequent processing.

405.9 Responsibilities

A. The Chief of Police is responsible for the following:

1. Approving In-Service Training Plan submitted by the Training Unit Staff.
2. Ensuring Agency compliance is met for state accreditation and Agency mandates.

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B. Division Commanders are responsible for the following:

1. Approving of Division training and expenditure of training funds when necessary.
2. Submitting Division training needs, goals, and objectives to the Chief of Police based on analysis and input from supervisory staff. This includes preparing training budgets for specialty and/or position training, certifications, and input/review on In-service training plans.

C. Section Commanders, (Lieutenants and Managers), are responsible for:

1. Conducting training needs analysis with subordinates in the course of the annual performance evaluation.
2. Scheduling employees for training according to the needs analysis, the training progression for each employee's position/rank assignment, and the availability of training resources.
3. Providing input to the Division Commander and Training Staff regarding section/squad/unit training needs.
4. Ensuring employees attend scheduled training.
5. Providing training documentation to the Training Unit following each team or unit training session under their supervision.

D. The Training Unit is responsible for:

1. Maintaining all lesson plans and instructor certifications / qualifications. Refer to Training Operating Manual.
2. Instructor development to provide qualified In-service Instructors.
3. Scheduling of instructors and times for in-service training.
4. Submitting in-service training plans designed to meet identified training needs.
5. Making necessary arrangements for employees to attend outside training, to include class and lodging reservations, transportation, preparing travel expense voucher, and per diem check request.
6. Issuing certificates of completion, when applicable.

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7. Filing of lesson plans, attendance sheets and other paperwork necessary to document in-service, Agency required training information.
8. Ensuring all training records for each member is entered into the training database.
9. Receiving and disseminating information regarding training resources for general and specialty training classes.
10. Reviewing training curricula to ensure compliance with State mandates and Agency General Orders.
11. Ensuring compliance with FDLE pertaining to Salary Incentive, Mandatory Retraining and Certification to include Instructor, Breath Test Operator, and Agency Inspector.
12. Ensuring compliance with FDLE pertaining to the certification and registration of part-time and full time certified personnel.
13. Providing annual report on mandatory retraining status to the Division Commanders, as well as notifications when an employee is not yet in compliance within 180 days of the mandatory retraining date.

E. Instructors are responsible for the following:

1. Submitting and updating lesson plans and training courses.
2. Achieving and maintaining FDLE Instructor certification in general, and specialty fields as applicable to the instructor's area of expertise.
3. Making prior arrangements with the Training Unit for needed handouts, training and visual aids, etc.
4. Submitting lesson plans as approved by the lead instructor and submitted to the Training Unit for filing.
5. Completion of attendance sheets for the class and forwarding the sheets to the Training Unit within 30 days of class completion.
6. Maintaining a positive learning environment through proper planning, organization, and control of the class.
7. Maintaining and updating their instructor file as required by FDLE mandate.
8. Ensuring the requirements of this directive and related directives, orders or instructions from the Training Unit are followed.

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F. Employees are responsible for the following:

1. Ensuring their own compliance with mandatory retraining requirements and maintaining current certification in specialty areas: Instructors, Breath Test Operator, Agency Inspector Officer, FCIC Certification, Local Agency Instructor, as well as other certifications as applicable.
2. Attendance at scheduled training, on time, and with all required equipment and materials.
3. Active participation in training, satisfactory conduct, and satisfactory performance of training objectives.
4. Completion of required training course paperwork, including attendance sheets, class assignments and course critiques.
5. Completion of the travel expense worksheet and submission of required receipts within five days of return to duty from advanced or outside training.
6. Forwarding copies of certificates of completion to the Training Unit.
7. Notification of supervisors and the Training Unit of unsuccessful completion of a class.

405.10 Selection of Instructors

- A. In-service instruction will be accomplished using employee instructors whenever possible.
- B. Employees interested in instruction are to submit a memo through their supervisor to the Lead Instructor in the discipline. Employees are expected to provide appropriate documentation to support their appointment. Appointment will be determined by Lead Instructors and endorsed by the Training Sergeant. If no Lead Instructors exist on the topic of coverage, a memo will be submitted directly to the employee's Division Commander and Training Sergeant for endorsement.
- C. Senior Staff will appoint Lead Instructors in high liability topics and other areas as deemed appropriate to meet operational objectives. Selection will be based on training in the area of expertise and/or practical experience in the discipline and overall employee performance.
- D. Instructors training sworn officers will obtain FDLE certification providing them with the skills, knowledge and abilities to teach the course for which they obtained their certification. Agency instructors teaching CJSTC high liability

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topics will, at a minimum, meet CJSTC requirements for high liability instructors, except for completing the internship requirement and being affiliated with a training school. Personnel who have previous instructor or practical experience in the training topic may be utilized at the discretion of Lead Instructors and only under instructor supervision.

- E.** Instructors of non-sworn personnel should seek FDLE certification, but must maintain that level of subject knowledge necessary to teach non-sworn personnel.
- F.** Outside Instructors - When necessary and appropriate, instructors who are not employed by the Agency may be utilized.
 - 1.** Outside instructors will be selected based upon review of their skills, knowledge, ability and educational credentials. They must provide supporting documentation that they possess equivalent skills, knowledge, abilities, and criteria required of in-house instructors as outlined above.
 - 2.** Outside instructors must provide the anticipated expenses of the program/course, prior to Training Unit approval for instructors.
 - 3.** Outside instructors will provide documentation of course content and copies of all handouts to be used in the course.
 - 4.** The information and program will be submitted to the Support Services Division Commander and/or the Chief of Police for final approval.
 - 5.** Outside instructors will be evaluated, in writing, by students attending the course.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Performance Evaluations	Order No: 406	
Rescinds: GO 406 Revised: 01/16/18	CFA 5th: 12.02, 12.03, 12.04, 12.05	Revised: 05/09/18
Reference: Operating Manual B406, Sworn Officers Performance Evaluations, City of Palm Bay Personnel Rules and Regulations VII and VIII, Fraternal Order of Police CBA, NAGE CBA		

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406 Policy

The Agency recognizes the importance of maintaining records of an employee's work product and habits. When completed at regular intervals, it establishes a forum for feedback to the employee as well as an opportunity to coach and counsel when necessary. The objectives of performance logs and evaluations are to foster fair and impartial personnel decisions, maintain and improve performance, provide a medium for personnel counseling, facilitate proper decisions regarding probationary employees, provide an objective and fair means for measurement of individual performance in accordance with prescribed guidelines, identify training needs and assist in career development.

406.1 General

A. Members Performance Log - Document maintained by supervisors with monthly entries of member's observed performance. It is to assist the supervisor in completing annual evaluations. Every member will have a file maintained in DMS containing the performance logs and other related documentation related to the employee's performance.

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- B. Performance Evaluation for Sworn Officers Covered by a Collective Bargaining Contract** - Evaluation on sworn law enforcement officers up to and including Lieutenant is completed by the supervisor on an annual basis. Instructions for completing this form are in [OMB 406](#). Annual supervisor evaluations will be based upon their date of promotion. [FOP CBA](#)
- C. Performance Evaluations for Sworn Commanders (above the rank of Lieutenant) and Civilian Managers** - Evaluations completed in accordance with City [Rules VII](#) and [XIII](#).
- D. Performance Evaluation Addendum** - Additional evaluation form to be completed by supervisor on sworn officers assigned to specialty units. [OMB 406](#).
- E. Civilian Employee Performance Evaluation** - Evaluation on a civilian employee and civilian supervisor are completed by supervisor on an annual basis. This evaluation will be completed in accordance with City Personnel Rules and Regulations, Rules [VII](#) and [XIII](#) or [NAGE CBA](#). Supervisor evaluations will be based upon their date of promotion. [Civilian Evaluation Form](#).

406.2 Performance Evaluation Preparation

- A. Tasks and Expectations** - At the beginning of each evaluation period, every employee will be informed by his immediate supervisor concerning the tasks of his position, written performance expectations and the evaluation rating criteria. The tasks are based on the most current [City Job Description and Task Assignments OMA 406](#) for the position. Sworn personnel covered by a collective bargaining agreement will be informed on the standards provided in the Sworn Performance Evaluations OMB 406. The expectations, Job Description and Task Assignments review will be documented in the employee's performance log.
- B. Predictive Statements** - Performance evaluations will not include predictive statements.

406.3 Employee Performance Log

- A. Purpose** - The employee performance log has been developed as the instrument to document the employee's work product/habits on at least a monthly basis for sworn personnel and quarterly for civilian personnel and to assist the supervisor in completing the annual evaluation. This is an opportunity to discuss with the employees, on a monthly/quarterly basis, their strengths and weaknesses. **This process assists employees'**

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understanding as to whether they are meeting performance standards or need to improve in any area. This provides prior knowledge of substandard performance issues to employees prior to the end of the rating period.

- B. Entries** - The electronic files will have entries continuously made throughout the rating period. They will be made by the supervisor and reviewed with the employee as soon as practical following the entry. The employee will electronically sign the entry in the DMS workflow as soon as practical after the supervisor review. All entries for the previous month will be made in the Employee Performance Log by the 14th of the following month (i.e. entries will be made by the 14th of February for January's performance log comments).

1. The form will be completed as follows:

- a. The top portion is the personnel information relating to the employee and assignment. It also includes instructions on when and what to include in the comments section.
- b. **Date** - The date the entry is made.
- c. **Comments** - The supervisor will write a brief narrative on the facts regarding performance, using an exact date when possible. Support documentation detailing the incident should be written by the supervisor, (e.g., Commendation memo or Directive memo to support verbal counseling). When counseling is necessary, the supervisor will, whenever possible, reference a City Policy, Agency General Order, Operating Procedure and/or directive order violation, law, etc. **Unsatisfactory performance prior to the end of a rating period must be in writing with specific action necessary to improve to satisfactory.**
- d. **Supervisor ID# and Employee Initials** - The supervisor will discuss with the employee all entries made on the Performance Log regarding the employee. The employee will electronically sign the document as soon as practical after the review. The employee is permitted to respond in writing to entries in the log. The employee will email their rebuttal to their immediate supervisor with a read receipt who in turn, will copy the email "as is" into the employee's performance log. After this is complete, the supervisor will re-send the performance log to the employee with the rebuttal included at which time the employee will sign the document. The rebuttal should be completed within three working days.

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- C. Rating Period** - This log should be used for a monthly/quarterly rating period in conjunction with the employee's annual performance evaluation period. The log should accumulate over a 12-month period. At the end of the 12-month period, the log should be archived in a separate folder and a new one generated for the upcoming year.
- D. Log Entries and Annual Evaluation** - The entries made over the 12-month period will be available in DMS for review through the chain of command approval process. At the completion of the approval process, the logs will be archived by the supervisor in a separate folder and a new performance evaluation log will be created for the upcoming year. Retention period for performance logs will not exceed 6 years.
- E. Documentation and Security** - The log forms will be documented electronically on a secure .pdf form. The log folders will have current documentation and kept on the K: drive in the squad's respective folder.
- F. Employee Transfer** - If an employee transfers, the date, time and reason for the employee's transfer will be documented in the log by the former supervisor. The logbook will be transferred to the new supervisor on the K: drive.
- G. Inspection** - The Section Lieutenant or Manager and the Division Commander will inspect the logs as part of the scheduled inspection process, as provided in the Review and Inspection General Order [GO 109](#), for compliance with this directive. They also may spot check at any time.
- H. Failure to Maintain (Discipline)** - Failure by a supervisor, commander, or manager to maintain a log on each of their subordinates in accordance with this directive may result in disciplinary action up to, and including, demotion.

406.4 Performance Evaluations Procedures

- A. Upper Level Supervisor Review** - Completed performance evaluations will be reviewed by the rater's supervisor prior to presentation to the employee. This needs to be done at the Sergeant, Lieutenant, Civilian Manager and Division Commander levels. Subsequently, all evaluations will be reviewed by the chain of command to the Chief seven days before the annual evaluation date and sent to the Human Resources Department. Evaluations that are not sent to the Human Resources Department by the annual evaluation date must have a written explanation from the employee's Division Commander, prepared for the Chief of Police, on why the evaluation is late.

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- B. Addendums** - Evaluations will not be altered by any reviewing authority. Addendums may be attached. If an employee has an evaluation where standards are unsatisfactory, the Division Commander will review the report with the employee's Lieutenant, Manager or Sergeant.
- C. Supervisor Responsibility** - Evaluations will be completed by the supervisor, under whom the employee worked during the majority of the rating period (over 6 months). The evaluation will be based only on the performance during the rating period. The rating supervisor will sign the evaluation, after his immediate supervisor has reviewed it, as provided in Section (A) above.
- D. Rating Explanatory** - Ratings of unsatisfactory in any area must be substantiated with specific reasons on the evaluation form and there must be specific actions delineated for the employee to improve performance and bring performance of an unsatisfactory standard to the satisfactory category. Outstanding performance ratings require explanatory comments/examples. Employees will be provided an opportunity to make written comments on the evaluation.
- E. Employee Review** - The supervisor will meet and review the completed evaluation with the employee. The employee is provided the opportunity to sign and date the evaluation. The signature indicates that the employee has read the report, but does not imply agreement or disagreement with the contents. The employee is provided a copy of the evaluation upon request.
- F. Evaluations Twelve Months Cumulative** - Each full-time and part-time paid member will receive a documented annual performance evaluation. Annual employee performance evaluations will be a cumulative report on an employee's job performance for the preceding twelve months. After the Division Commander and Chief have reviewed and signed the annual evaluation, a copy will be kept in the employee's folder, which is maintained by his supervisor. After the approval process, the original evaluation will be forwarded to the Department Programs Specialist for processing to the Human Resources Department. If the employee is eligible for a pay increase, it will be governed by the collective bargaining contract between the City and the employee's bargaining unit, or City policy and final approval by the Human Resources Department.
- G. Human Resources Department** - All original performance evaluations will be forwarded to the Human Resources Department for final review, approval, and filing with the employee's personnel file. The Human Resources Department retains the responsibility to maintain the original evaluation in conformance with state records retention schedules.

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H. Satisfactory Rating - Sworn officers covered by the collective bargaining agreement must attain a 75% or better on observed areas on the Sworn Employee Performance Evaluation to receive a satisfactory rating for merit pay increases. Employee Performance Addendums will only be utilized to evaluate that employee's retention value for that specialty unit. The one exception will be the supervisor's addendum, which will be combined with the Sworn Employee Performance Evaluation for an overall evaluation for merit.

I. Contesting Evaluations - Employees may contest any evaluation through the appropriate collective bargaining process or City grievance procedure. See [GO 423](#).

J. Probationary Employees

1. Civilian probationary employees (including supervisor and manager positions) who are not covered by a collective bargaining agreement will be evaluated according to City Personnel Rules and Regulations, Rule VII and XIII. Communications Center Employees who are in training will also be evaluated according to the Communications Center Manual for training evaluations and NAGE Collective Bargaining Agreement. [OMC 302](#)
2. Probationary Police Officers will be evaluated according to the Field Training and Evaluation Program Operating Manual [OMC 405](#). Sworn probationary Sergeants and Lieutenants are evaluated as defined in the current collective bargaining agreement. Probationary sworn Commanders are evaluated per City Personnel Rules and Regulations VII and XIII.
3. Probationary employees will be provided an opportunity to make written comments to the evaluation; however, probationary employees have no grievance right for an unsatisfactory evaluation.

406.5 Training on Performance Evaluation System - The Training Unit will provide training on this directive, and any changes to the performance evaluation process, for all Agency supervisors, commanders and managers.

406.6 Use of Performance Evaluations Results - Performance Evaluation results will be used in consideration for selection in the Agency's sworn and civilian process, [GO 410](#), [GO 224](#), [GO 409](#) and other related career development programs for Agency employees.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Career Officer Program	Order No: 408	
Rescinds: GO 408 Revision: 06/08/17	CFA 5th:	Revised: 05/30/18
Reference: CBA-FOP Article 30		

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408 Policy

Career Development can be the most effective tool of human resource management. It is a voluntary program that positively impacts line officers' dedication to achieving the Agency's organizational goals. Through the Career Officer Development Program, opportunities are provided for personal growth, advancement, and recognition. Officers develop a sense of job achievement, act as role models for others, and realize increased self-esteem. The Career Officer Development Program requires members to take responsibility for their own careers. It encourages innovation and rewards operational achievement. It awards benefits for the continued application of expertise in meeting Agency goals and objectives. It also requires that officers support the spirit of the Agency's mission in all of their actions.

408.1 Overview

- A. Curriculum Based** - The Career Officer Development Program is a process similar to a college curriculum through which candidates acquire skills and knowledge that contribute to their professional growth as well as the achievement of organizational goals. The process includes an appraisal of skills, experiences, and accomplishments. It encourages individuals to obtain career counseling, plan for the future, and establish objectives. The evenly paced program is designed to motivate senior officers, to encourage them to

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remain productive, and to ensure they function as positive role models for less experienced officers. Finally, it provides the organization with a sound basis for decisions relating to human resource management.

- B. Standards of Excellence** - The Career Officer Development program is guided by the Agency's standard of excellence (as outlined in the Mission Statement) and its abiding concern for the citizens of Palm Bay. The Career Officer Development program provides a series of challenging activities to highly motivated, law enforcement professionals serving in a non-supervisory capacity.
- C. Alternative Career Path** - Traditionally, the main avenue of advancement within the Agency has been through supervisory promotions. Unfortunately, the limited number of supervisory positions often results in a lack of recognition of exemplary officers who do not wish to pursue the traditional managerial route. The Career Officer Development Program is designed to recognize officers who have attained a high level of proficiency and desire to remain in their current environment.
- D. Prerequisites** - Prerequisites for earning cumulative credits in each Career Development Category are established. Categories include years of service, professional achievements, and training.
- E. Standards Pre-Established** - "Good Standing" requires officers to maintain pre-established standards to be eligible for placement or retention of a career position. The motivational benefits of this concept are important. Public confidence and trust in the integrity, credibility, and performance of the Agency is impacted directly.
- F. Training and Recognition** - Career Officer Development enables members below the supervisory and management ranks to participate in a challenging program which offers room for personal growth, advancement, and recognition. Developing a sense of job achievement and increasing self-esteem are key elements of the program. Members are encouraged to pursue career goals by working through a logical progression of reasonable personal career objectives. The program is designed to retain qualified, educated, and experienced officers through continued formal training.
- G. Program Administration Responsibilities** - The Career Officer Development Program is administered by the Support Services Division Commander.

408.2 Advancement Requirements

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- A. Three Levels** - There are three levels in the Career Officer Development Program. The first level is Career Police Officer, which is attainable after four years of service; second is Senior Police Officer, which requires nine years of service, and third is Master Police Officer which requires at least sixteen years of service.
- B. Requirement** - In order to advance through the Career Officer Development levels, one must meet seniority requirements and earn a minimum number of credits in the areas of training and professional achievement. Unlike other promotional systems, there are no tests required for advancement and there is no limit to the number of officers who may advance to any level.
- C. Voluntary Participation** - The Career Officer Development Program is reserved for non-supervisory officers. Participation in the program is voluntary. Progression through the levels is at the officer's discretion. An officer may remain at Level 1 if he so chooses.
- D. Self-Documentation** - Participants are responsible for documenting and submitting their own activities for program credit. Documentation that is not properly submitted will not be included in the Career Officer Development file and will not generate credit.
- E. Credits** - In the Career Officer Development Program, you must earn new credits at each level of the program in the areas of Training and Professional Achievement. A new credit is one that has been earned since obtaining the previous level.
- F. Palm Bay Police Department Only** - The Career Officer Development Program recognizes experience with the Palm Bay Police Department only. There are no exceptions. The program recognizes college education and prior training regardless of location or time of completion. Documentation of previous law enforcement training credits must be supplied to the training section.

408.3 Career Officer Development Levels - This section provides the minimum requirements for each level.

A. Career Police Officer

- 1. The Career Police Officer candidate must:
 - a. Be a full-time Florida certified police officer.
 - b. Have completed a minimum of four years cumulative sworn police service with the Palm Bay Police Department.

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- c. Have completed at least four of the approved Career Officer Development training courses.
 - d. Have no sustained Internal Investigations within the preceding twelve months. Returning employees must meet this requirement. Therefore they must be employed for at least twelve consecutive months before applying for any level.
- 2. A Career Police Officer must maintain a satisfactory employee evaluation performance level.
- 3. Each candidate who meets these requirements shall be appointed as a Career Police Officer. Candidates appointed as Career Police Officers may display the appropriate Career Officer Development Program insignias on the uniform shirt collar:
 - a. **Left Collar:** Career Officer Development Program Participation Insignia.
 - b. **Right Collar:** Silver Achievement Level Designation - CPO.

B. Senior Police Officer

- 1. The Senior Police Officer candidate must:
 - a. Be a full-time Florida certified police officer.
 - b. Have completed a minimum of nine years cumulative sworn police service with the Palm Bay Police Department.
 - c. Have achieved Career Police Officer status.
 - d. Have completed at least four additional Career Officer Development approved training courses since obtaining Career Police Officer status.
 - e. Have completed one of the following courses:
 - Line Supervision
 - Instructor Techniques
 - f. Have no sustained Internal Investigations within the preceding twelve months. Returning employees must meet this requirement. Therefore they must be employed for at least twelve consecutive months before applying for any level.

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- g. Be or have been a member of a Unit or Team, as listed on the Career Officer Development Checklist. At least one year of satisfactory performance while assigned to the Unit/Team is required. The supervisor of the Unit/Team during the time of assignment will be consulted to determine satisfactory performance. Newly formed Units and/or Teams shall be included and listed under "other" on the checklist.
- 2. The Senior Police Officer shall be required to maintain a satisfactory employee evaluation performance level.
- 3. Each candidate who meets these requirements shall be appointed as a Senior Police Officer. Candidates appointed as Senior Police Officers may display the appropriate Career Officer Development Program insignias on the uniform shirt collar:
 - a. **Left Collar:** Career Officer Development Program Participation Insignia.
 - b. **Right Collar:** Silver Achievement Level Designation - SPO

C. Master Police Officer

- 1. The Master Police Officer candidate must:
 - a. Be a full-time Florida certified police officer.
 - b. Have completed minimum of sixteen years cumulative sworn police service with the Palm Bay Police Department.
 - c. Have achieved Senior Police Officer status.
 - d. Have completed at least four additional Career Officer Development approved training courses since obtaining Senior Police Officer status.
 - e. Have no sustained Internal Investigations within the preceding twelve months. Returning employees must meet this requirement. Therefore they must be employed for at least twelve consecutive months before applying for any level.
 - f. Since obtaining Senior Police Officer status, be or have been a member of a Unit or Team, as listed on the Career Officer Development Checklist. At least one year of satisfactory performance while assigned to the Unit/Team is required. The supervisor of the Unit/Team during the time of assignment will be

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consulted to determine satisfactory performance. Newly formed Units and/or Teams shall be included and listed under "other" on the checklist.

2. The Master Police Officer shall be required to maintain a satisfactory employee evaluation performance level.
3. Each candidate who meets the necessary requirements shall be appointed as a Master Police Officer. Candidates appointed as Master Police Officers, may display the appropriate Career Officer Development Program insignias on the uniform shirt collar:
 - a. **Left Collar:** Career Officer Development Program participation insignia.
 - b. **Right Collar:** Gold Achievement Level Designation - MPO

408.4 Career Development Categories

A. Definitions - This section contains definitions of accomplishments which result in earned credits in the listed categories:

1. Advanced Classes consisting of 40 hours or more are those recognized by the Florida Department of Law Enforcement.
2. Other non-CJSTC training courses and training seminars, pertaining to law enforcement consisting of 40 hours or more, presented by various sources (Fraternal Order of Police, Institute of Police Technology and Management, International Critical Incident Stress Foundation, regional training centers, etc.) may be included in this list. Other training courses and training seminars consisting of 40 hours or more should be considered on an individual basis by the Support Services Commander.

B. Unit Assignment

1. Unit Assignment is to include: SOD, K9, IA, CID, CSU, CRU, SIU, SRO, Traffic, FTEP, Training and Youth Services Unit.
2. If the Unit is not listed it must be approved by the Support Services Commander.

C. Team Assignment

1. Team Assignment is to include: SWAT, URT, CNT, Explorers, Honor Guard, active Department Instructor, or Corporal.

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2. If the Team is not listed it must be approved by the Support Services Commander.

408.5 Program Administration - This section provides an explanation of the administration of the Career Officer Development Program.

A. General - Modifications recommended by the Support Services Commander are subject to approval by the Chief of Police and cannot conflict with the existing labor agreements, unless a letter of agreement resolves the conflict.

B. Record Keeping

1. Responsibility for record keeping in the Career Officer Development Program rests primarily with the candidate seeking the position.
2. All accomplishments and positions must be verified and accepted by the Support Services Commander or his/her designee. Candidates will complete the [Career Officer Development Form](#) and submit it to the Support Services Commander for consideration. Candidates shall provide copies of documentation validating their achievements to the Support Services Commander who will maintain these in a Career Officer Development file. Candidates falsifying any career development document or verification shall be subject to agency disciplinary action and expulsion from the Career Officer Development Program.

C. Loss of Career Officer Position

1. A participant in the Career Officer Development program will lose his position and associated designation for any of the following reasons:
 - a. Requesting to be voluntarily removed.
 - b. Upon being recommended for removal by his Division Commander and approved by the Chief of Police, when his performance evaluation has not reached an overall rating of "Meets Standards" after the 90-day correction period.
 - c. Promotion to Sergeant or above.
2. The Chief of Police may remove an officer from a Career Officer position due to disciplinary action as the result of a serious policy violation as outlined in City or Agency policy.

<u>PALM BAY POLICE DEPARTMENT</u>		
Subject: Promotions	Order No: 409	
Rescinds: GO 409 Revised: 10/03/12	CFA 5th: 11.01, 11.02, 11.04	Revised: 04/30/15
Reference: FOP/NAGE Collective Bargaining Agreements, City Rule 12		

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409 Policy

The Agency will make every reasonable effort to select the best qualified candidate for promotion, identifying those members who have the potential for assuming greater responsibility and who possess the knowledge, skills and abilities to perform satisfactorily at an advanced level. The process will be job related and non-discriminatory.

409.1 Responsibilities

A. Eligibility, Sworn Positions

1. Sergeant

- a. A sworn officer who has completed four years of cumulative sworn police service with the Agency at the date of testing for the position. The applicant must have a satisfactory rating on the most recent performance evaluation.
- b. Sergeant promotion process will follow the current collective bargaining agreement.

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- c. Must be a Certified Law Enforcement Officer by the Florida Criminal Justice Standards and Training Commission, pursuant to 943.10(1), Florida Statutes.

2. Lieutenant

- a. A sworn officer who has completed five years of cumulative service with the Agency, including one full year as a Sergeant with the Agency as of the date of testing for the position. The applicant must have a satisfactory rating on the most recent performance evaluation.
- b. Lieutenant promotion process will follow the current collective bargaining agreement
- c. Must be a Certified Law Enforcement Officer by the Florida Criminal Justice Standards and Training Commission, pursuant to 943.10(1), Florida Statutes.

3. Commander

- a. Sworn Sergeant or Lieutenant, who has completed a minimum of seven years of cumulative service as a sworn officer with the Agency, and must have a satisfactory performance evaluation rating for the last two consecutive years of service. Must possess an AA or AS degree from an accredited college.
- b. Commander is an appointed management position by the Chief of Police with approval of the City Manager.
- c. Must be a Certified Law Enforcement Officer by the Florida Criminal Justice Standards and Training Commission, pursuant to 943.10(1), Florida Statutes.

4. Deputy Chief

- a. Must have a minimum of ten years law enforcement experience and four years law enforcement management experience as a Sergeant or Lieutenant.
- b. Must possess a BA or BS degree in a law enforcement related field from an accredited college.

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- c. Must be a Certified Law Enforcement Officer by the Florida Criminal Justice Standards and Training Commission, pursuant to 943.10(1), Florida Statutes.
- d. Deputy Chief is an appointed management position by the Chief of Police with approval of the City Manager

B. Testing and Selection Process for Sworn and Non-sworn Positions

1. The Human Resources Department conducts all promotional testing. Testing will be conducted in accordance with applicable collective bargaining agreements.
2. The applicable collective bargaining agreement articles are listed as follows. In the absence of such collective bargaining agreements, testing, if applicable to the position, will be conducted in accordance with City Policy.
 - a. Sworn Sergeant [FOP OFC CBA 32](#)
 - b. Sworn Lieutenant [FOP SGT CBA 32](#)
 - c. Sworn Commander or Deputy Chief, exempt [City Rule 12](#)
 - d. Civilian Supervisors non-exempt [NAGE CBA 41](#)
 - e. Civilian Managers and Supervisors exempt City Rule 12

- C. Supervisors Training Manual** - Upon attaining the rank of Sergeant or above, the newly promoted member will be responsible to comply and complete the training manual before the end of the probationary period. [OME 405](#)

409.2 Sworn Promotional Procedures

- A. The City's Human Resources Department will administer promotional processes in response to known or anticipated promotional vacancies.
- B. The City's Human Resources Department will publish a notification to all full-time members identifying any promotional vacancies that exist or are anticipated, and that promotional examinations will be held. This notification will set forth a date and time by which interested members will submit a Letter of Intent to Human Resources. The notification will also include eligibility requirements for the specific position.

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- C. It is the responsibility of individual members to submit a Letter of Intent by the date and time specified in the notification.
- D. At the closing date for receipt of Letters of Intent by members seeking promotion, the City's Human Resources Department will publish a second notification. This notification will include a schedule of the dates, times, and locations of all elements of the promotional process. There will be a minimum of 30 days between this notification and the commencement of the promotional process.
 - 1. This notification will also include a list of study material to be used in any written test and the different elements of the process to be completed.
 - 2. It is the member's responsibility to obtain all study materials.
- E. Each element of the promotional process will be job related and non-discriminatory.

409.3 Civilian Promotional Procedures

- A. The City's Human Resources Department will administer promotional processes in response to known or anticipated promotional vacancies.
- B. The City's Human Resources Department will publish a notification to all full-time members identifying any promotional vacancies that exist or are anticipated, and that promotional examinations will be held. This notification will set forth a date and time by which interested members will submit an application to Human Resources.
 - 1. The notification will also include eligibility requirements for the specific position.
 - 2. The City may elect to post for a specific classification and establish a list of qualified applicants. Subsequent vacancies will be filled from the list of qualified applicants.
 - 3. An eligibility list is viable for a 6 month period.
- C. It is the responsibility of individual members to submit an application by the date and time specified in the notification.

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1. If the City posts for a specific classification to establish a list of qualified applicants and there is no closing date, it is the member's responsibility to submit an application.
 2. The member must furnish any requested documentation needed to complete the application process, resume, etc.
- D.** If a closing date is listed, receipt of applications by members seeking promotion, The City's Human Resources Department will advise the affected Police Department head of the eligible applicants for the position.
1. The agency head may choose to interview employees from the eligible list for the purpose of selecting the best qualified based on skill, ability, reliability, demonstrated performance, and other relevant factors.
 2. The agency head will consider results of any written exam, if performed or required by the City, based on the position sought.
 3. If a competitive examination is required in the promotional process, [City Rule 5](#) will be followed regarding the types of testing as required by the City.
 - a. A notification will be published advising eligible applicants of the schedule of the dates, times, and locations of all elements of the promotional process.
 - b. This notification will also include a list of study material to be used in any written test and the different elements of the process to be completed.
- E.** Each element of the promotional process will be job related and non-discriminatory.

409.4 Eligibility Lists - Eligibility lists are defined by the applicable union contract, NAGE White or FOP.

409.5 Review and Appeal of Adverse Decisions

- A.** Members participating in the promotional process will be afforded the opportunity to review their testing results. Employees desiring to contest specific elements of the promotional process may do so by contacting the Human Resources Department for the City.
- B.** Any member desiring to appeal adverse decisions concerning eligibility for, or appointment to promotional vacancies will utilize those procedures specified in their collective bargaining agreement.

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- C.** All records of the promotional process will be retained in the Human Resources Department. Tests and results will be retained if developed and promulgated by Human Resources. In some instances the City elects to have tests developed and promulgated by private vendors. In these instances, the private vendor will retain testing material.

- D.** Members eligible for promotion will be placed on a one year eligibility list. This written list will be maintained by the Human Resources Department. Civilian eligibility lists may be retained longer depending on the position affected.

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Subject: Intra-Agency Lateral Assignments		Order No: 410
Rescinds: GO 410 Revised: 05/07/18	CFA 5th: 17.05	Revised: 02/13/19
Reference: Career Coaching Program Tracking Form		
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410 Policy

- A.** Positions within the Agency will be available due to transfers, demotions, terminations, new positions, or extended period of absence. The selection process for filling these internal vacancies will focus on choosing the applicant who is not only the most qualified but also, in the judgment of the selection board and the Chief of Police, is the most suited for the position. The Chief will have final authority over transfers subject to city policy and governing collective bargaining agreements.
- B.** This directive will apply to members in current job classifications only and will not govern new job classifications or promotions.

410.1 Requirements

- A.** Members on probation are not eligible for positions outside their assigned division, except at the convenience of the Agency.
- B.** Members will require a Letter of Recommendation Memo from DMS with the letter of intent approved thru the member's Chain of Command thru the Lieutenant.
- C.** Applicants shall have no sustained Internal Affairs Investigations within the previous 12 months from the date of the posting.

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410.2 Procedures

A. Position Vacancies Application Requirements

1. Upon approval of the Chief, the applicable Division Commander will post a vacancy announcement that includes the following information:
 - a. Position description, responsibilities and qualifications.
 - b. Application deadline of not less than 14 calendar days.
 - c. Information on applying and any special instructions, which may consist of projects, papers or other applicable assignments.
2. A sworn member can only transfer from one specialty unit to another one time before returning to patrol for eighteen months. Temporary assignments of less than ninety days are excluded. After completing an eighteen-month assignment in patrol, the member will again be eligible for assignment to any unit. If a position is eliminated, it will not be considered as a transfer. If a new unit is developed, the City and the FOP will meet to determine whether or not it will be considered a specialty unit. The Chief of Police can authorize an exception to specialty unit limitation, FOP, CBA, Article.21.
3. Applicants will submit their written application reply via email to the respective Division Commander or designee. A brief resume and the Letter of Recommendation Memo should be also submitted.
4. If only one applicant applies for the position, the Division Commander has the option to repost for the vacancy.

B. Selection

1. **Board** - Within 10 calendar days of the posting deadline, the Division Commander will select a board of three members. The Board may consist of Commanders, Lieutenants, Sergeants, civilian managers or supervisors, or any combination thereof, based on the position to be filled.
2. **Interviews** - The Division Commander, or designee, will set up interview appointment times with the applicants and the board. The Division Commander, or designee, will act as a facilitator of the board interview process and will not rate the applicants. The Division Commander may ask the applicant to elaborate further on a response to a question.

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3. **Process** - The three Board members will ask a total of 10 pre-selected questions related to the position to each applicant. Applicants will also be scored on professional appearance and presentation skills. The three board members will use the same questions for each applicant to maintain consistency. Each individual board member will **independently** score each applicant's response on a scale of one to five as follows:
 - a. 1 is poor
 - b. 2 is weak
 - c. 3 is fair
 - d. 4 is good
 - e. 5 is excellent
4. After all the applicants have been interviewed, each board member will total the scores on each applicant's interview form. The maximum number of points possible is 180.
 - a. Prior to the interview process, the Division Commander, or designee, will notify the police union representative of the dates and times of the scheduled interviews. A representative of the union is invited to attend the interview process.
 - b. Every intra-agency lateral assignment will consist of an oral board interview. Part time specialty units such as SWAT, URT, CNT, and other part time positions will not be required to have an oral interview board as part of the selection process. However, if a formal oral interview board is utilized it will adhere to the same process as outlined in this directive.
5. **Selection Determination**
 - a. The Division Commander, or designee, will total the three board member's individual score on each applicant and determine a rank order based on highest to lowest total score. The board members will certify the final total score and ranking of the applicants.
 - b. The Division Commander has the option to choose from the top two scoring applicants.

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c. The Division Commander has seven calendar days to make his recommendation to the Chief. The applicants not selected will then be notified by the Division Commander or his designee prior to the announcement of the selection. Applicants will be allowed to review their interview scoring forms.

d. The Chief will approve the recommended selection within five calendar days or direct the Division Commander to repost the vacancy.

C. Part time Specialty Unit Selection - Positions such as SWAT, URT, CNT, and other part time positions will have their own selection process based on the needs of the unit. The unit will have the selection process written in their Operating Manual. All position appointments must have prior written approval from the Chief of Police.

D. Interim Supervisors and Commanders

1. When a supervisor or commander is expected to be absent for an extended period of time for whatever reason, that person's supervisor may designate a person to be temporarily assigned the responsibilities and duties involved.
2. The assigned person will be in an acting capacity and will have all the authority, responsibility and duties commensurate with the position, except that any policy or permanent procedural change must first be approved by the appointing commander or Chief.
3. Persons assuming a position in an acting capacity will be compensated according to the applicable collective bargaining agreement, or in the absence of an agreement, according to City policy. No other benefits will be provided except as specified by the Chief.
4. The appointing commander will post notice of the temporary assignment via the email system.

410.3 Career Coaching Program - The purpose of the Career Coaching Program is to provide a process by which members have an opportunity to experience the operations of another section, unit, or team within the Agency. Members will be exposed to the duties and responsibilities of other sections as part of the temporary duty assignment (TDY) which can provide an understanding of different section functions and provide information relevant to future job goals.

410.4 Procedure

A. Members

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1. Every member will complete a Career Coaching Program Interest form [<Career Coaching Tracking>](#) and submit it to their respective supervisor. Only one interest should be indicated on the form.
2. Members on probation are not eligible to participate in TDY assignments.

B. Supervisors

1. Member supervisors will coordinate with their Lieutenant or managers regarding the career interests of their members.
2. TDY assignments to another section will be approved by the member's respective supervisor and Lieutenant or manager.
3. Lieutenants or managers should consider the affects on manning, member performance, productivity, and seniority.
4. Coordination for TDY assignments will occur between the recommending lieutenants or manager and the TDY assignment supervisors.

410.5 Responsibilities

A. Participating Members

1. TDY members will provide a Career Coaching Program Tracking form to their TDY coach.
2. At the conclusion of the TDY assignment, the TDY member will meet with the TDY supervisor and ensure the tracking form is completed, listing the areas and topic addressed during the assignment. Members will submit the completed tracking form to their normal supervisor upon return to their normal duty assignment.
3. TDY members will be responsible to the TDY supervisor or coach while under their command.
4. The purpose of the tracking form is to document areas and topics TDY members are coached in while in the TDY position.
5. TDY assignments will not exceed two weeks.

B. TDY Supervisors

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1. TDY supervisors will develop and have available a checklist articulating the area or topics to be covered during TDY assignments.
 2. Assignments to part-time units such as SWAT, URT, and CNT will be scheduled for those particular assignments training sessions in addition to actual field or call-out work. Participation within part-time functions will be limited to four training days.
 3. TDY coaches should be experienced in their field or a supervisor.
 4. TDY assignments are planned learning environments that should provide tasks which are challenging, but not beyond the scope of the participant's training, experience, and allotted time in the program.
 5. Over-time or compensatory time can only be approved by the TDY supervisor or commander. This may include call-out situations as determined by the TDY supervisor.
- C. Completion** - The member's normal supervisor will ensure the completed tracking form will become part of the member's performance log folder and be reflected in their annual evaluation.

410.6 Shift Change Request (Temporary)

- A.** The Chief of Police or designee may grant the request of any two (2) members to exchange days off providing this exchange does not require the City to pay any additional premium or overtime pay. The exchanging members must be of the same rank and the same duty function.
- B.** Temporary shift change requests are authorized IF prior approved by the requesting employees' supervisors. The change **MUST** occur within the same pay period. Requests must be submitted and approved 7 days prior to the change.
- C.** Use [<Shift Change Request>](#)

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Judicial Responsibilities	Order No: 411	
Rescinds: GO 411 Revised: 09/07/16	CFA 5th:	Revised: 02/15/17
Reference:		

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411.5	<u>Compromising Criminal Case</u>
411.6	<u>Subpoena Fees</u>

411 Policy

- A.** The Agency recognizes the importance of its members' appearance before other agencies and officials of the Criminal Justice System. Members will not provide statements, formal or informal, written or oral, depositions, documents or reports, except as provided under Florida Statutes, Chapter 119, Public Records, or respond to or appear at the request of any private attorney, insurance adjustor or other person unless a subpoena has been received by the Agency and served on the employee.
- Exception will be the request of the City attorney, or any other attorney acting on behalf of the City or the employee.
 - Payment or fees sent with a subpoena will be forwarded to the City Finance Department.
 - Members will not accept payment for appearances, which initiated from on-duty actions and the employee appears in an on-duty status.
- B.** Members of the Agency will not act or fail to act in the performance of their duty so as to interfere with or influence the proper administration of justice.
- C.** Members of this Agency will always present a neat and professional image when appearing for trials, hearings, depositions or other official testimony.

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- D. All members will comply with all subpoenas and court orders lawfully served upon them or served pursuant to current Agency directives including but not limited to depositions, traffic court, etc.

411.1 Accepting Process

- A. **Primary Receiver** - The primary receiver of subpoenas relating to criminal cases and civil subpoenas for Agency members to appear in court will be the Agency Court Liaison.

- B. **Lawsuit Service** - When a lawsuit directed to the **City of Palm Bay** or the **Palm Bay Police Department** is received, the process server will be sent to the City Attorney's Office.

- C. **Special Circumstances** - Subpoenas for members who meet the following criteria will be accepted. However, it will be the member's respective Division Commander's responsibility to notify the member of the subpoena service if the member is not on a regular duty schedule.

1. Members who are on short-term or long-term disability.
2. For civil actions when a member of the City is named as a defendant or is sought as a witness in an action.
3. A member who is not scheduled to work prior to the date they are required to appear.

D. Service Will not be Accepted for the Following:

1. Any former member.
2. If the appearance date is less than five days from the date of service.
3. Members who are military reservists and are on active duty for the military for an extended period.

- E. **Member Served Civil Summons** - A member who receives a civil summons and complaint (lawsuit) for an incident arising out of their employment with the Agency will forward a copy to the Internal Affairs Unit and if a member of a collective bargaining unit, notify a representative immediately.

- F. **Preliminary Adversarial Hearings** - Officers who seize property during a criminal investigation are subject to appear in any adversarial preliminary

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hearings which are set within 10 days of the seizure. These hearings often occur without the ability to have a subpoena served upon the seizing member. Appearances in these cases may be required in order to expound upon the probable cause in the case.

- G. Direct or Mail Service** - A member who receives a subpoena directly by mail will forward the subpoena to the Agency Court Liaison for processing.

411.2 Court/Deposition Appearances & Administrative Hearings

- A. Report to Testify** - Members will report to testify or present available evidence at the time and place instructed by the subpoena. Members are to have their Florida Driver's License with them to present to the Court Reporter upon request.
- B. Proper Attire will be Worn** - This may be either a class A or class B uniform with pants or civilian clothing acceptable for public appearances.
- C. Preparation** - Members will properly prepare themselves to testify by reviewing reports and evidence before the time requested to appear.
- D. Hearing Conflict** - Members receiving orders to appear at more than one hearing at the same time will promptly notify the officials commanding the appearances in advance of the scheduled appearance to resolve the conflict.
- E. Notice of Deposition** - Under the Rules of Criminal Procedure, a Notice of Deposition will have the same force and effect as a subpoena and will be treated as such regarding service and acceptance.
- F. Suppression Hearings** - Because short notice is at times received from the State Attorney's Office regarding suppression hearings, the following guidelines have been agreed upon between our agencies:
 - 1. The State Attorney's Office will contact the Agency Court Liaison regarding any Motion to Suppress Hearings and if it is prior to the five day period that an officer is scheduled for duty, the Agency Court Liaison will contact the on-duty field supervisor or commander who will be responsible to ensure that the subject officer is contacted regarding the hearing. The on-duty supervisor or commander will then contact the Agency Court Liaison who will then contact the State Attorney's Office.
 - 2. If the period of time is not prior to the five day period of service, the on-duty supervisor or commander will be contacted to see if the officer is on duty. If the officer is on duty, they will attend the hearing to suppress. If

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the officer is off duty, an attempt will be made to notify the officer and inform them to contact the State Attorney's Office. By law, the officer is required to comply with the subpoena. In either case, the on-duty supervisor or commander will get the information back to the Agency Court Liaison who will be responsible to contact the State Attorney's Office.

411.3 Testifying for Defendants

A. Notify Commander - Members who volunteer or who are commanded to appear to testify for a defendant in a criminal proceeding, or against the City or Agency in any trial or hearing, except labor disputes, will notify their Division Commander upon receipt of the subpoena. The employee's Commander will notify the Risk Management Office of the City Attorney's Office about any City involved proceedings as the City's attorney may have to be notified.

B. No Department Uniform - Members will not wear the Agency uniform when testifying for a criminal defendant.

411.4 Civil Actions

A. Chief Approval - Members will request and receive approval from the Chief prior to assisting in civil cases that relate to the law enforcement function or Agency business, except in cases where the officer is a party to the suit or has been subpoenaed to testify.

B. Notify IAU - Officers so subpoenaed will notify the Internal Affairs Unit upon receipt of the subpoena.

411.5 Compromising Criminal Case - This subsection applies to actions arising within the Agency or any other section of the criminal justice system, including other police agencies.

A. Agency Members Must Not:

1. Interfere with the service of lawful process.
2. Interfere with the attendance or testimony of witnesses through coercion, bribery or other means.
3. Attempt to have any traffic or parking citation or notice to appear reduced, voided or removed from the docket, except as provided by law and in compliance with Agency directives.

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4. Take any other action that will interfere with the efficiency or the integrity of the administration of criminal justice.
5. Having personal knowledge of any such interference, fail to report the incident to an immediate supervisor.

411.6 Subpoena Fees

- A. Fees to City** - Whenever an employee receives monetary compensation from an outside entity regarding their testimony and/or appearance at any court proceeding or deposition concerning anything that occurred on duty and the employee attends such hearing or proceeding on duty, that compensation must be forwarded to the Agency Court Liaison.
1. City Rule Section 6 - Administrative Leave: (2) An employee subpoenaed as witness or defendant in behalf of the City must be considered to be on duty and be entitled to be paid meal and travel expenses in accordance with the City's travel rule and procedure. Any fees awarded must be returned to the City.
 2. When the check is received, the employee must endorse the check, make a copy for their personal records and turn the check over to the Agency Court Liaison.
 3. An employee who receives monetary compensation from an outside entity for testimony and/or appearance at any court proceeding who does not attend the proceeding must provide the Agency Court Liaison the check with clear instructions that it must be returned to the issuer.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Grooming and Appearance	Order No: 412	
Rescinds: GO 412 Revised: 05/11/17	CFA 5th:	Revised: 08/06/18
Reference: GO 413 Uniforms and Equipment		

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412.2	<u>General Appearance</u>
412.3	<u>Tattoos, Brands, Body Mutilation, Dental Ornamentation, Body Art</u>
412.4	<u>Tobacco Use</u>

412 Policy

- A.** It is the policy of the Palm Bay Police Department to establish standards of appearance for members while in uniform and or while working in civilian attire. Members are to present a neat, clean, orderly, and professional appearance, which represents dignity and authority.
- B.** The Chief of Police is the final authority in determining compliance or violations of this policy.

412.1 Definitions

- A. Uniformed Officers** - Sworn members who wear a Police Department uniform while on duty or in the performance of official duties.
- B. Plain Clothes Officers** - Sworn members assigned to duties that require the wearing of plain clothes.
- C. Civilian** - Non-sworn members of the Agency.
- D. Undercover Officers** - Sworn members who are assigned to the Special Investigations Unit.

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412.2 General Appearance

A. Hygiene - Members will maintain a level of personal hygiene so as not to be offensive to the public or fellow workers. This includes, but is not limited to body odor, dental hygiene, fingernails, etc.

B. Hair

1. Male, sworn

- a. Hairstyles will be conservative and may be sufficiently thick to reflect current styling but must be evenly trimmed. The hair will not extend beyond the upper half of the ear; extend past the bottom of the shirt collar when the employee is standing, or fall below the eyebrows. Pony tails, spikes, or other distinctive styles or colors will not be worn.
- b. Hair will not be teased or brushed to stand more than two inches from the head.
- c. Sideburns will be uniform in width from top to bottom and neatly trimmed. Width will not exceed one inch. Sideburns will not extend below the bottom of the ear opening and must be squared at the bottom.

2. Male, civilian

- a. Hairstyles will be conservative and may be sufficiently thick to reflect current styling but must be evenly trimmed. The hair will not extend beyond the upper half of the ear; extend past the bottom of the shirt collar when the employee is standing, or fall below the eyebrows. Ponytails, spikes, or other distinctive styles or colors will not be worn.
- b. Hair will not be teased or brushed to stand more than two inches from the head.
- c. Sideburns will be uniform from top to bottom and neatly trimmed. Width will not exceed one inch. Sideburns will not extend below the bottom of the ear opening, and must be squared at the bottom.

3. Female, sworn - Hair must be neat and well-groomed at all times. Hairstyle will be conservative and present a businesslike appearance. Hair clasps, barrettes, or visible fasteners will be conservative in color and style. No more than two will be worn at one time.

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4. **Female, civilian** - Hair must be neat and well-groomed at all times. Hairstyle will be conservative and present a business like appearance. Hair clasps, barrettes, or visible fasteners will be conservative in color and style. No more than two will be worn at one time.

C. Beards and Mustaches

1. Male, uniformed

- a. Uniformed officers may wear a mustache meeting the guidelines herein. Beards are prohibited.
- b. Mustaches will be neatly trimmed. Extremely curly, bushy or handlebar styles will not be worn. The mustache will not extend beyond the top of the upper lip, or laterally, more than one-half inch out from the corners of the mouth or one-half inch below the corners of the mouth.
- c. Sideburns will be uniform in width from top to bottom and neatly trimmed. Width will not exceed one inch. Sideburns will not extend below the bottom of the ear opening and must be squared at the bottom.

2. Male, non-uniformed (Does not apply to Undercover Officers)

- a. Beards, will be neatly trimmed and will not extend more than one inch from the face or one inch below the chin. The bottom of the lower lip will be clean-shaven when a beard is not worn.
- b. Mustaches will be neatly trimmed as defined in 412.1C(1)(b).
- c. Sideburns will be uniform from top to bottom and neatly trimmed. Width will not exceed one inch. Sideburns will not extend below the bottom of the ear opening, and must be squared at the bottom.

D. Jewelry, Earrings, Necklaces, Pins, etc.

1. Uniformed Members

- a. Uniformed members will not wear an excessive amount of jewelry. Not more than one watch, two bracelets, and not more than three rings.
- b. Uniformed male members will not wear any earrings while on duty.
- c. Uniformed females may wear conservative earrings that will neither present a safety risk nor total more than two pair of earrings.

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- d. Necklaces, pins, etc., which are not authorized by the Agency will not be worn so as to be visible.
- e. Members may wear association pins for organizations such as IACP, FBINAA, SPI, FOP, Crisis Intervention Team graduates, and LEEDA. The pins will not exceed one inch square and will be worn on the left breast pocket flap. Pins not issued by the Agency must receive approval from the appropriate Division Commander.

2. Civilian Members

- a. Male members will not wear earrings while on duty.
- b. Female members may wear conservative style earrings. No more than two sets will be worn at a time. Length will not exceed one inch.
- c. Members will not wear an excessive amount of jewelry - not more than one watch, two bracelets, and four rings. Clothing, jewelry or accessories are strictly prohibited that are derogatory or sexual in nature, or symbolize anti-sentiment towards a particular group of people, race, religious belief or sexual orientation. See section 412.3 for additional restrictions on body ornamentations.
- d. No more than two conservative style necklaces may be worn at one time and, if in uniform, limited from view. "Choker" type necklaces are prohibited. Pins, excluding tie tacks, which are not specifically issued or authorized by the Agency, will not be worn.

E. Makeup

- 1. Makeup will be subdued and natural looking.
- 2. Females may wear nail polish of a neutral or conservative color.

412.3 Tattoos, Brands, Body Mutilation, Dental Ornamentation, and/or Body Ornamentations.

- A. General Requirements** - Body ornamentation (tattoos) and all cosmetic changes listed in this directive will meet compliance by all members in Agency uniform or displaying a police badge and/or identification. Any member who comes into contact with the public while wearing a uniform or displaying a badge or Agency identification is prohibited from wearing any earrings and/or

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body jewelry piercing in the tongue, lips, nose, cheeks, eyebrows, or fingernails.

1. Visible includes able to be seen through the uniform clothing.
2. Body ornamentations that are prejudicial to good order and discipline, or that are otherwise harmful to the reputation of the Palm Bay Police Department are prohibited.
3. Ornamentations on the body that are likely to associate the member with or be interpreted as associating the member with or advocating any racist, sexist, extremist, gang, criminal, drug activity or affiliation, or political views, positions or symbols are prohibited. Final approval will be thru the Chief of Police. If the ornamentations are deemed prohibited, refer to 412.3(13).
4. Visible body ornamentation will not be obscene, indecent, sexually explicit, or advocate or symbolize sex, gender, racial, religious, ethnic, or national origin discrimination.
5. Visible body ornamentation is allowed only on the arms.
6. Body ornamentation will not be permitted on the head, face, neck, scalp, legs or hands (Exception, wedding ring tattoos on the ring fingers. The tattoo ring will not extend beyond the normal size of a wedding ring set.).
7. Ornamentation on the hands will meet the requirements of Section 412.2D. Ornamentation on the hands which existed prior to June 30, 2006 may be presented to the Chief for approval. No new ornamentation on the hands will be approved.
8. The use of gold, platinum, or other veneers or caps for the purposes of tooth ornamentation is generally prohibited and will be considered on a person by person basis. Teeth, whether natural, capped, or veneer, will not be ornamented with designs, jewels, initials, etc.
9. Intentional body mutilation, piercing, branding or intentional scarring are prohibited if visible through or outside of the clothing. Examples of prohibited intentional mutilation include:
 - a. Split or forked tongues
 - b. Foreign objects inserted under the skin to create a design or pattern
 - c. Enlarged or stretched out holes in the ears (other than normal piercing)

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- d. Any intentional scarring that is visible.
 - e. Objects pierced through the tongue.
10. Contact lenses, if worn, will be a natural eye color. Contact lenses with graphic designs of any kind are prohibited.
 11. Members will notify the Chief of Police in writing via the chain of command if they have any body ornamentation that does not currently meet with the above requirements. The Chief of Police will be the final determining authority of whether body ornamentation is considered in violation of this policy.
 12. Members with existing visible body ornamentation on the arms, legs and/or hands that is in violation of this general order, must conceal it by wearing long sleeved uniform shirts and/or pants or an approved undergarment, at all times while in uniform or while displaying a badge or Agency identification, regardless of the season or weather conditions. Bandages; garments which cover only one arm, leg or hand; or any other covering which presents an unprofessional or unbalanced appearance are prohibited as a means of concealing ornamentation.
 - a. Undergarments used to conceal ornamentation must be black in color and tight fitting if extending below the uniform sleeve. If the body ornamentation on the arms could be covered by a regular sweat band, it must be black or navy blue in color and may be worn in lieu of the long sleeve tee shirt or Class AA shirt. Covering for body ornamentation on the hands must be approved by the Chief of Police.
 - b. If the Class AA long sleeved shirt is chosen, it will be provided at the Agency's expense.
 - c. The long sleeved shirt or long pants must match the uniform being worn. For instance, the Class AA uniform shirt may not be worn with bicycle shorts or BDU trousers.
 13. Members employed prior to June 30, 2006 will not be permitted to add any body ornamentation that does not comply with the requirements of this directive.
 14. Applicants will be required to sign a Grooming and Appearance Acknowledgement of Compliance Form that will attest compliance.

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15. Officers with **existing** visible body ornamentation on the arms, legs, or hands may be allowed to display such body ornamentation when assigned to an undercover position with prior written approval by the Chief.

18. Members with non-conforming body ornamentation have the option to remove or alter the ornamentation at their own expense so that it is no longer in violation. Any member who refuses to adhere to this general order may face disciplinary action up to and including termination.

B. Operational Necessities - Grooming regulations are waived for operational necessities, such as undercover duties.

412.4 Tobacco Use

A. Use of Tobacco - Members may use tobacco products while on duty provided they exercise discretion and good judgment so as not to offend others. Spitting in the presence of others or maintaining spittoons in City buildings visible to others is prohibited. Under no circumstances will tobacco products be visible to the general public or in the mouth while in direct contact with the public. The use of smokeless/vapor-producing devices is expressly forbidden while in any Agency building/facilities or Agency vehicles, marked or unmarked.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Uniforms and Equipment	Order No: 413	
Rescinds: GO 413 Revised: 11/03/16	CFA 5th: 14.10	Revision: 12/26/17
Reference:		

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413 Policy

- A.** Each Agency member is responsible for the use, reasonable care and accountability of all City and Agency equipment and uniforms assigned or issued to him/her.
- B.** The issued uniforms and items of equipment in this regulation are the official uniform. Items purchased by a member to be utilized on duty will not be worn unless they conform to regulation standards and are authorized by the Chief or his designee. The Chief of Police or a Division Commander may authorize variations of this policy based on operational necessity or documented medical need. The uniforms of non-sworn members, if worn, will be clearly distinguishable from sworn members.
- C.** Normally, sworn employees will wear the Class A uniform while on duty. However, the Division Commander or his designee may authorize other clothing as required by the nature of the assigned duty. All members of a shift do not need to be in like uniforms. The primary uniform for K-9 Officers is the

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Class C, utility BDU. The primary uniform for Crime Scene Technicians is Civilian Uniform (civilians).

- D. Personnel authorized to wear the Class C uniform should contact the Materials Management Unit for uniform specifications and a vendor listing.
- E. Uniforms will be properly fitted, neat, clean and well-pressed at all times. Unnecessary bulky items will not be carried in pockets. All pockets with buttons or snaps will be fastened shut. All officers will properly maintain a Class A uniform (Class C for K-9).
- F. Civilian clothing will not be worn with any distinguishable part of the uniform except as authorized by the Chief or his designee.
- G. Employees will obtain approval from their Division Commander before wearing the uniform off duty.

413.1 Sworn Uniforms

- A. **Class AA Uniform** - The Class AA Uniform consists of the same elements as the Class A uniform, with the exception of the shirt, which is a navy blue long-sleeved shirt, necktie, and Agency tie bar. The Accreditation Pin will be worn on the Class AA uniform
- B. **Class A Uniform or Dress Uniform** - The Class A Uniform consists of the following articles: navy blue short-sleeved or long-sleeved shirt without the tie; authorized load bearing vest (if applicable); navy blue trousers; belt; black or navy blue socks; approved footwear; approved duty belt including all required lethal and less lethal equipment (Refer to GO201.6). Officer's last name embroidered on right pocket flap and badge pinned on left side over pocket. This is the daily uniform for all sworn personnel assigned to be in uniform.
- C. **Class C or Utility Uniform** - The Class C Utility Uniform consists of the following articles: black BDU-style short- or long-sleeved shirt, black trousers, black belt, black socks (if visible), approved footwear, approved duty belt including all required lethal and less lethal equipment (Refer to GO201.6), embroidered last name and badge.
 - 1. SWAT members are also authorized to wear camouflage, black, or green BDU uniforms when required by specific duties.
 - 2. Unless otherwise specified, utility uniforms will be the duty uniform for Canine Officers.

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3. The utility uniform is also authorized to be worn for Agency In-Service Training. The issued black t-shirt, which displays Agency and officer identification, may be worn with the BDU trousers for Agency Training.

413.2 Civilian Uniforms

- A. **Male** - Issued uniform shirt, black dress trousers; black belt; black or navy-blue socks; footwear as described within this section.
- B. **Female** - Issued uniform shirt, dress slacks; neutral, black, or dark blue socks or stockings; footwear as described within this section.
- C. **Desk Booking Specialists** - The Desk Booking Specialist Uniform consists of the following articles: navy blue short-sleeved shirt; navy blue trousers; belt; black or navy-blue socks; black, plain-toed shoes, boots, or athletic-style shoes, as approved by the Chief or his designee; issued duty belt including all required lethal and less lethal equipment specific to assignment (Refer to GO201). Specialist's last name embroidered on right pocket flap and badge pinned on left side over pocket.
- D. **Crime Scene Technicians** - The Crime Scene Technician's uniform consists of issued uniform shirt, issued black pants, black or navy-blue socks, and black, plain-toed shoes, boots, or athletic-style shoes, as approved by the Chief or his designee.

413.3 Approved Civilian Clothing - The agency prides itself on the professional image it maintains and the professional image that employees present as representatives of the agency. To present a professional image in the workplace, the agency is adapting a business casual dress code. Research shows that a professional image is affected by the manner of dress we choose in the workplace.

Employees who prefer to dress more formally should feel free to do so. Business casual attire includes many looks; basically it means casual clothing that is appropriate for a professional business environment. Below is a list that is not all inclusive. These items set a general guideline for proper business casual dress code. In general, business casual should be clean, unwrinkled and look professional. Clothing that works well for the beach, yard work, dance clubs, exercise sessions or sports contests are not appropriate. Clothing that is too revealing (cleavage, back, stomach, undergarments) is not appropriate. The following articles are approved civilian or plainclothes clothing for Agency employees not wearing an issued uniform:

A. Male

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1. **Slacks, pants and suit pants** - Slacks that are similar to Dockers or other makers of cotton or synthetic material or dress pants. Inappropriate: jeans, shorts, sweatpants, exercise pants, or any spandex or other form-fitting pants such as biking shorts.
2. **Shirts** - Short or long-sleeved collared dress shirt (necktie optional); casual shirts with collars, polo shirts, and sweaters; suit jackets, sport jackets or fleece jackets are optional. Inappropriate: tank tops; midriff tops; shirts with potentially offensive words, terms, logos, pictures, cartoons or slogans; tops with bare shoulders; sweatshirts and t-shirts.
3. **Shoes** - Conservative athletic or walking shoes, loafers, plain toed boots and leather deck-type shoes. Inappropriate: flip-flops, slippers, hiking boots, overly flashy athletic shoes.

B. Female

1. **Slacks, skirts, dresses** - Slacks that are similar to Dockers or other makers of cotton or synthetic material, dress pants, or dress capris; casual dresses and skirts of a length that you sit comfortably in public. Inappropriate: jeans, sweatpants, exercise pants, shorts, or any spandex or other form-fitting pants such as people wear for biking. Inappropriate include short, tight dresses or skirts, miniskirts, beach or sun dresses and spaghetti strap dresses.
2. **Shirts** - Dress shirt/blouse; casual shirts with collars, polo shirts, and sweaters; suit jackets, sport jackets or fleece jackets are optional. Inappropriate: tank tops; midriff tops; halter tops; shirts with potentially offensive words, terms, logos, pictures, cartoons or slogans; tops with bare shoulders; sweatshirts and t-shirts.
3. **Shoes** - Conservative athletic or walking shoes, loafers, dress flats, heels or sandals, plain toed boots and leather deck-type shoes. Inappropriate: flip-flops, slippers, beach sandals, hiking boots, overly flashy athletic shoes; any shoe that is not acceptable in a professional business environment.

C. Dress Down Friday - Office employees may dress down unless they are acting in a representative capacity that day and are required to wear Business Casual attire. On Dress Down Friday, employees may wear jeans, t-shirts or other shirts without collars, and sneakers, nothing inappropriate/offensive.

NOTE: Any deviation from this dress code must be approved by the Division Manager. At their discretion, supervisors may approve dressing down on other days for those employees performing a significant amount of manual labor on that day.

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413.4 Court Dress - Employees attending court are on duty and may wear either the duty uniform as outlined in 413.1, or civilian clothing. When wearing civilian clothes, male employees will wear a tie and jacket. Female employees will wear conservative business attire.

413.5 Uniform Accessories

A. Award Ribbons and Pins - Only authorized award ribbons/pins may be worn on the uniform shirt.

1. Award ribbons will be worn over the right breast shirt pocket, one-half inch above the flap and centered on the right side.
2. The highest award will be placed at the top, just left of center. Others follow in order of importance. Order will be left to right; top to bottom.
3. Award ribbons may be worn with class AA, or class A uniforms.
4. All approved pins will be worn ½ inch above the right pocket.
5. The accreditation pin will be worn on Class AA and Class A uniform shirts for formal events and will be centered above all other items worn above the right pocket. The pin may be left off of the shirt if there is insufficient space available due to numerous award ribbons being worn. Wearing of this pin is not mandatory for daily operations.
6. Authorized military service pins may be worn on the left pocket flap by members who have served in the armed forces centered under the badge.

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B. Badges

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1. The public's need for immediate recognition of police officers is of paramount importance to maintain the integrity of the Agency.
 - a. Officers who are on duty will have their badge or police ID prominently displayed at all times while in the view of the public.
 - b. Officers who choose to wear any type of jacket that is not issued by the agency must prominently display their badge or police ID while on duty and in the presence of the public.
2. The Chief, or his designee, will issue a badge and badge number to each sworn employee at the time of swearing in. Sworn employees will also be issued a flat metal badge for display in an identification case. Sworn employees may purchase a flat metal badge for their identification case with the approval of the Chief of Police.
3. An employee's badge number will remain with the employee for the duration of his/her career, regardless of the rank such employee may attain.
4. An employee who is appointed by the City Manager as Chief of Police (not Acting Chief) has the discretion to choose the badge number one. The employee's former badge number will be held open. If such employee later is reduced in rank, for any reason, he will utilize his former badge number.
5. All issued badges and badge numbers will be surrendered at the time of separation from the Agency. At the discretion of the Chief of Police, employees separating after 20 years or more of service may be allowed to retain their issued badges.
6. Badges and badge numbers of separated employees will be reissued.
7. Badge numbers of employees killed while on duty will be retired, and the badge will be given to the family of the employee. This Agency will never use such retired badge numbers again.
8. Employees who are assigned numbered badges and have honorably completed 20 years or more of service with the Agency may have their badge number retired. This Agency will never use any such retired badge number again.
9. Badges will be worn centered over the left breast shirt pocket.
10. The Chief, Deputy Chief, and Commanders will wear gold and silver badges. Lieutenants and Sergeants will wear gold-colored badges. All other sworn personnel will wear silver-colored badges.

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C. Hats

1. The Agency-issued black/navy blue ball cap (hat) with "POLICE" on the front is the only ball cap authorized for wear with the Class A, or Class C Uniforms, or at on-duty functions (crime scene, training, etc.).
2. The ball cap is not authorized for wear with the Class AA uniform.
3. Wearing of the ball cap is encouraged, but is not mandatory.
4. The hat will be worn properly, with the hat bill to the front. Exception will be for SWAT snipers in the training/deployment mode.
5. The hat will be kept free of any attachments.

D. Belts - Uniform belts will be black and at least one inch wide. No ornamental buckles will be worn.

E. Body Armor

1. Issuance of Body Armor
 - a. All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice.
 - b. All officers will be issued agency-approved body armor.
 - c. Body armor that is worn or damaged will be replaced by the agency. Body armor that must be replaced due to misuse or abuse by the officer will be paid for by the officer.
2. Use of Body Armor
 - a. Officers will wear only agency-approved body armor.
 - b. Body armor will be worn by recruit officers during both classroom and field training after being sworn in by the Chief of Police. This does not apply to recruits that are attending the police academy.
 - c. Officers that are assigned to a uniformed function and non-uniformed sworn officers are required to wear body armor while engaged in field activities **both on duty and during off duty employment unless exempt as follows:**

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1. When an agency-approved physician determines that an officer has a medical condition that would preclude wearing body armor.
2. CID and General Crimes detectives who are engaged in day to day activities including but not limited to conducting neighborhood canvasses and field interviews.
3. When the officer is involved in undercover or plain clothes work that his/her supervisor determines could be compromised by wearing body armor; or
4. When the Agency determines that circumstances make it inappropriate to mandate wearing body armor. The process to review a certain situation as inappropriate are as follows:
 - a. The member must complete a memo to the Chief of Police through their chain of command outlining the circumstances and why they feel it's inappropriate.
 - b. The Chief of Police or designee will either approve or deny the request based upon officer safety factors, perceived risk involved, and all circumstances of the event.
5. Uniformed members who are assigned to administrative duty are not required to wear body armor unless:
 - a. Assigned to any patrol type function, special detail, etc.
 - b. Responding to any type of police call for service where there is a known risk of violence toward an officer or others.

F. Inspection of Body Armor

1. Supervisors will be responsible for ensuring that body armor is worn and maintained as required by this policy through routine observation and periodic documented inspections.
2. Annual inspections of body will be conducted for fit, cleanliness, signs of damage, abuse and wear.
3. Care, maintenance and replacement of body armor.
4. Officers will routinely inspect personal body armor for signs of damage and for general cleanliness.

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5. As dirt and perspiration may erode ballistic panels, each officer will be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.
6. Officers are responsible for the proper storage, maintenance and care of body armor in accordance with manufacturer's instructions.
7. Officers are responsible for reporting damage or excessive wear to the ballistic panels or cover to their supervisor and the individual responsible for the uniform supply function.
8. Body armor will be replaced in accordance with guidelines and protocol established by the National Institute of Justice.

G. Training - The training officer will be responsible for:

1. Monitoring technological advances in the body armor industry that may necessitate a change in body armor.
2. Assessing weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
3. Providing training programs that demonstrate body armor's stopping power under actual firing conditions and that emphasize its safe and proper use.
4. Maintaining statistics on incidents where armor has or has not protected officers from harm, including traffic accidents.

H. Rank Insignia

1. Metal rank insignia will be worn by all sworn members above the rank of officer. The only exception is that Sergeants will wear a cloth patch sewn on their uniform shirts and winter jackets so that citizens may quickly identify them as supervisors when encountered on the street.
 - a. Chief insignia – four metal gold stars
 - b. Deputy Chief insignia – three metal gold stars
 - c. Commander – one metal gold star
 - d. Lieutenant insignia – one metal gold bar
 - e. Sergeant insignia – three-stripe chevron patch

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f. Corporal insignia – two-stripe metal chevron

g. FTO insignia – one-stripe metal chevron



2. Metal rank insignia is centered on the collar 1/2 inch from, and parallel to, the short edge of the collar (Class AA and A).
 3. Sergeant's chevrons will be worn centered on each sleeve, one inch below the Agency patch.
- I. Specialty Insignia** - Sworn members of specialty units may wear insignia identifying the specialty unit. Insignia will be standardized and worn 1/2 inch above the nametag or award ribbons.
- J. Duty Belts and Utility Equipment** - All uniformed officers will wear Agency issued or approved duty belt and utility equipment. All sworn employees will keep this equipment clean, and in good repair.

K. Eyeglasses

1. All eyeglasses and sunglasses worn by members in uniform or displaying badge and/or Agency identification will be conservative in style and shade. "Mirror-type" glasses will not be worn.
2. Dark blue or black eyeglass safety straps may be worn.

L. Firearms - See [GO 202](#)

M. Footwear

1. All uniformed members will wear black, plain-toed shoes, boots, or athletic-style shoes, as approved by the Chief or his designee.
2. Stitched or cowboy-type boots are not authorized.
3. Uniform footwear will be free of buckles, logos or decorative design.
4. Black rubber overshoes or boots may be worn in inclement weather or when needed for the terrain or environment.

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5. Uniform footwear will be kept clean and highly polished, to include the shoe welt, soles and heels. Excessively worn or damaged footwear will be repaired or replaced.
 6. Shoelaces must be black.
 7. Exceptions to this regulation must be approved by the Chief or his designee.
- N. Gloves** - Gloves worn with the uniform must be black, of normal length, and have no decorative design. SAP gloves are prohibited.
- O. Handcuffs** - Authorized members will carry the Agency issued or approved handcuffs.
- P. Holsters** - Authorized members will use Agency issued or approved holsters while on duty.

Q. Jackets

1. The Agency issued black (hooded) raingear will be worn according to weather conditions. A traffic vest must be worn over rain gear when performing traffic functions in inclement weather.
2. The rain jacket may be worn fastened or unfastened and only approved badge and Police identification insignia will be displayed on the jacket.
3. **Jackets not issued by the Agency will not be worn unless approved by the Chief or his designee.**
4. Lightweight Jackets (windbreakers) are not issued but may be purchased by the individual employee with approval of the employee's respective Division Commander.
 - a. When the windbreaker is worn, the sleeves will cover the arm to the wrist. Sleeves will not be pulled or rolled up.
 - b. Windbreakers may be worn buttoned or unbuttoned.
 - c. Windbreakers are stenciled with identification as authorized by the approving Division Commander. If the jacket is worn while in the presence of the public and the officer is on duty, the badge or police identification (markings) must be prominently displayed.

R. Sweaters

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1. **Civilian Members** - Approved sweaters may be worn by uniformed civilian members. Approved sweaters are long-sleeved, black, with a button-style front. Sweaters may be worn buttoned or unbuttoned.
2. **Sworn members** - Although sweaters are no longer issued, sworn uniformed members who still have them may wear the Agency issued command style sweater. The sweater is navy with the Agency shoulder patch.
 - a. Agency approved embroidered chevrons may be displayed on Sergeant's sweaters.
 - b. Shoulder patches, badges, and chevrons will be displayed in the same manner as for Class A uniform shirts.
 - c. The sweater will be worn tucked into the trousers.

S. Metallic Equipment - All metallic equipment worn on or with the uniform will be kept clean and polished.

T. Neckties - Issued neckties are dark navy, clip-on type.

U. Longevity Stripes

1. Longevity stripe(s) shall be displayed on the left sleeve of the long-sleeve shirt only, and the lowest point of the series of stripes shall be positioned (1/2") above the wrist cuff stitching and one-half inch (1/2") below the shirt crease.
2. Each longevity stripe shall be silver in color for all sworn members. Each stripe shall represent three (3) consecutive years of continuous sworn law enforcement service (Palm Bay Police Department and/or prior agency) the member has served. An officer can combine years of service from one Agency to the next for earning the longevity stripe (ex. An officer who serves 7 years at another Agency and 2 years at the Palm Bay Police Department will be eligible to wear three (3) longevity stripes).
3. Military service served prior to employment at the Palm Bay Police Department will also qualify as time served for the purposes of the longevity stripes (ex. An officer who serves four years in the military will be eligible for one (1) longevity stripe). Military service can be added to law enforcement experience for earning the longevity stripe (ex. An officer who served five (5) years in the military and one (1) year with the Palm Bay Police Department will be eligible for two (2) longevity stripes).

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413.6 Uniforms and Accessories in General

- A. Shirts** - Shirts will be kept clean, pressed, free of unsightly stains, and in good repair. Shirts will fit well.
- B. Shoulder Patches** - The Agency shoulder patch will be worn centered on the sleeve and 1 inch down from the shoulder seam at the top of the sleeve when utilizing long-sleeved shirts, and 1/2 inch down from the shoulder seam at the top of the sleeve when utilizing short-sleeved shirts (Class AA and A).
- C. Shorts** - Shorts may be worn by bicycle officers when engaged in bicycle duty.
- D. Tee Shirts** - The wearing of a t-shirt is optional with uniforms. If a t-shirt is worn and visible, **it will be black for class A, B and the Utility Uniform** (except training white t-shirt at Agency training). T-shirts will be clean and in good repair. Turtleneck shirts or sweaters are not authorized except as cold weather attire.
- E. Specialty Unit T-Shirts** - T-shirts that designate a specialty unit may be worn while performing those duties of the specialty unit or as directed by the Division Commander.
- F. Tie Bars** - Only issued tie bars will be worn with the class AA uniform.
- G. Trousers** - Trousers will be worn so that when the wearer is standing, the cuffs touch the top of the shoe with little or no break in the crease.
 - 1. Class AA, A, and pants will be worn outside the shoes or boots, and not bloused.
 - 2. The Class C and utility uniform trousers may be worn bloused.
 - 3. Any alterations, other than the initial fitting, will be at the expense of the employee.

413.7 Cellular Telephones

- A. Cell Phones** - May be issued to members at the Agency's discretion for the purpose of conducting police business.
- B. Personal Use** - The Agency recognizes the need for occasional personal use of department-issued cellular phones, but that use will be limited to infrequent intervals and duty related necessity. Evidence of personal calls failing to meet this standard (patterned or excessive use) will subject the employee to full reimbursement of costs and/or loss of the use of the cellular phone and/or

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disciplinary action. Use of the phone for personal entertainment is strictly prohibited (i.e. 900 numbers, sports pools, fantasy games, etc.).

- C. Outside Employment** - Under no circumstances may an Agency cellular phone be used by an employee for outside employment business interest.
- D. Personally owned cellular phones** may be used while on duty for occasional personal use as long as:
 - 1. Personal phone calls, emails, social networking site use, etc., is not done in a manner to disrupt the members normal work assignments.
 - 2. No confidential information is disclosed.
 - 3. No personally owned business endeavors are conducted.

413.8 General Procedures

- A. Responsibility** - Members are responsible for the proper use, care and security of City-owned property and equipment assigned to them, used by them, or under their control.
- B. Criteria for Care** - The criteria for determining proper use and care are the presence or absence of negligence, indifference, ignorance or carelessness on the part of the member.
- C. Inspection Prior to Use** - Members will inspect all Agency uniforms and equipment prior to use or tour of duty, and will immediately report any defects or hazardous conditions to their supervisors.
- D. Duty to Report** - Members will report via email, any loss or damage to Agency uniforms or equipment to their supervisors as soon as is practicable, but no later than the end of the current tour of duty.
- E. Relinquish Equipment** - Members will relinquish Agency uniforms and equipment assigned to them to the Materials Management Unit or to a superior officer only.
- F. Return Issued Items** - Members leaving the Agency are required to return all issued items in good condition, reasonable wear and tear excepted.
- G. Another Member's Equipment** - Unauthorized use of another member's equipment may be grounds for disciplinary action or a criminal charge of theft. Members who find other members' issued items will notify their respective supervisors. The supervisor will return the item to the Materials Management

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Unit. MMU will attempt to locate the assigned member who was issued the item either by tracking number or a group notification via the Agency-wide email system. The member's supervisor will take the appropriate disciplinary action if the member was negligent in securing his equipment.

413.9 Personal Property and Equipment

- A. Personal Equipment** - Members should refrain from wearing personal items or using personal equipment of value.
- B. Damage and Replacement** - If a member's personally owned property, including sunglasses, corrective lenses, watches, or similar items (not to include jewelry) is damaged, lost or destroyed in the line of duty, the Agency will reimburse the member, or repair or replace such equipment within a reasonable time. If the damage or destruction was caused by an arrest, the member will notate that on the Cost Recovery Form in the 'Other' column.
- C. Cost of Replacement** - The cost of reimbursement, repair or replacement will be in accordance with collective bargaining agreements or City policy. If the member is not covered by a collective bargaining agreement, then the cost of reimbursement, repair or replacement will not exceed \$100 (or \$150 in the case of corrective lenses).
- D. Claims** - Each claim must be in writing and accompanied by receipts. The immediate supervisor will investigate the circumstances of each incident and forward a recommendation, through the chain of command, to the applicable Division commander for approval or disapproval.
- E. Negligence** - Negligence on the part of the member, or failure to have properly obtained authorization to use items of personal equipment, may be grounds for disapproval of the request for reimbursement.

413.10 Mourning Band Protocol

- A. Officers of the Palm Bay Police Department will be permitted to wear a mourning band:**
 - 1. Upon the death of an officer of the Palm Bay Police Department from the time of death until 2400 hours the day of the funeral.
 - 2. Upon the line of duty death of any law enforcement officer within the State of Florida from the time of death until 2400 hours the day of the funeral.
 - 3. At the non-line of duty funeral of any active law enforcement officer or retired law enforcement officer.

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4. Wear a mourning band on May 15th, National Peace Officers Memorial Day, each year (United States flags should also be flown at half- mast on this day).
- B.** Officers will never allow a mourning band to cover a badge number.
- C.** The mourning band will be horizontal on the badge and centered half way between the top and bottom.

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414 Policy

- A.** The Agency recognizes the importance of safe and reasonable operation of motor vehicles by its personnel. A significant factor in the public's image of the Agency arises from the operation and appearance of police vehicles. Since emergency vehicle operation is one of the higher liability activities that law enforcement agencies engage in, setting a good example of safe driving is of utmost importance.
- B.** Marked and unmarked vehicles are assigned to authorized members for use both on and off duty. Personnel assigned full-time use of an Agency vehicle may use the vehicle while off duty in accordance with this policy and guidelines established by current City Policy and/or the appropriate collective bargaining agreement. Issues not specifically covered by this policy or contract will be addressed by the Chief of Police or his designees.
- C.** The Agency will investigate, thoroughly and impartially, all traffic crashes involving City vehicles in order to protect the interests of all involved parties.

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- D. General Orders on Emergency Vehicle Operations and Vehicle Pursuits. [<GO 213>](#) [<GO 214>](#) will be applicable to all sworn members.
- E. This policy applies to all sworn and civilian members who utilize Agency vehicles.

414.1 Definitions

- A. **Marked Vehicle** - A vehicle utilized for response to calls for service which is clearly marked as a police (emergency service) vehicle and is equipped with emergency lighting (includes patrol vehicles, DBS vehicles, ERT van, VCOP vehicles, etc.).
- B. **Unmarked Vehicle** - A vehicle that does not have police markings on its exterior which is clearly identifiable as an emergency vehicle upon activation of siren and emergency lighting. (Includes traffic, MCU and SOD vehicles, crime scene vans, staff vehicles, and other vehicles primarily utilized for transportation.)
- C. **Push Bumpers** - Any approved device properly mounted on any Agency vehicle that is designed to assist vehicles in a proper manner by pushing the vehicle off of the roadway. Push bumpers will be made of metal/steel construction and will only be commercially manufactured and mounted by the Fleet Maintenance only.

414.2 Procedures

- A. **Alcoholic Beverages Prohibited** - Alcohol consumption prior to eight hours of operating an Agency vehicle is prohibited. Consumption of certain medication that would impair driving ability is prohibited. In addition, members participating in the assigned vehicle program and operating marked vehicles are prohibited from patronizing stores or any other establishment which may result in public criticism. A violation of this policy will be considered a serious infraction that may result in the suspension of the member's participation in the program in addition to other appropriate disciplinary action.
- B. **Extended Leave Storage** - During any period of leave longer than two weeks, members assigned a Department vehicle will store it at a place designated by their Division Commander.
- C. **Report Violations** - Members have the duty and responsibility to report any violation on the part of another employee operating a vehicle contrary to these

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regulations. The member observing improper conduct must prepare a full report of the incident. The completed report will be submitted to the reporting member's Division Commander.

- D. Inspections - Supervisors will inspect the vehicles of subordinates under their command at least once every three months.** Vehicles will be inspected to determine internal and external cleanliness, adherence to preventive maintenance practices and the condition and availability of required equipment (includes, operational emergency lights and siren, fire extinguisher, flashlight, first aid kit, and personal protective equipment). The supervisor will utilize the Inspection Form. [<Inspection Form>](#)
- E. Safe Operation** - All members will operate Agency vehicles in a reasonable and safe manner, using defensive driving techniques and obeying all traffic laws except as required by certified officers in the performance of their duties.
- F. Parking** - When leaving vehicles unattended, employees will lawfully park and lock the vehicle, taking the keys with them. Vehicles will not be left unattended with the keys in or about the vehicle.
- G. Weapons in Vehicles** - Members will not leave weapons in their assigned vehicles while they are being serviced or repaired unless they directly oversee it. Weapons left in the vehicle will be secured in the trunk or on a mounted gun rack. Officers must use extreme care not to leave unsecured weapons in the vehicle. In addition, unattended police vehicles should not provide accessibility of weapons or other items, such as cellular phones, chemical agents, or other valuable unsecured equipment, to vehicle burglars.
- H. Idling** - Members will not leave vehicle engines idling for extended periods, unless required for operational reasons, such as for the safety of police dogs or human occupants. Employees will adopt fuel-conserving practices, including reducing unnecessary engine idling and avoiding over-acceleration.

414.3 Operation

- A. Assignment** - All vehicles not issued to an individual will be checked out through the supervisor of the unit to which the vehicle is assigned. Maintenance and checking out of vehicles will be in accordance with each Division's operating procedures. Whenever an agency vehicle is checked out, the operator will conduct a check of the vehicle. When the operator returns the vehicle, he will inspect it for damage and maintenance needs. In the absence of a Division operating procedure, operators will follow this policy. The operator will inspect their permanently assigned vehicles at least once a week.

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B. Seat Belts - Will be worn by all occupants in all Agency vehicles.

1. Prisoners, regardless of age, will be secured in a seatbelt unless officer safety is jeopardized.
2. When transporting children under age five, all efforts to secure a separate child carrier will be made. However, officers are allowed to transport children under age five without a separate child carrier if exigent circumstances dictate.

C. Invalid Driver License - Any member whose responsibilities involve the operation of a vehicle must be licensed to drive by the State of Florida. Whenever an operator discovers their license has become invalid, they will immediately notify his supervisor who will notify the chain of command and Internal Affairs Unit via email, before the end of their shift.

1. A member with an invalid driver's license will be prohibited from operating any motor vehicle.
2. The Division Commander may assign the member to a temporary non-driving assignment until the member's driving privileges have been reinstated by DHSMV.
3. Except for expired and financial responsibility reasons, suspensions, revocations and canceled driver licenses will be reported to Internal Affairs Unit as directed by the Chief and may subject the member to disciplinary action up to dismissal.

D. Desk Booking Specialists - Are authorized to operate police department vehicles which may or may not be equipped with emergency lightning. Civilian members and volunteers, as needed, may operate marked patrol vehicles, *temporarily*, while taking them to, returning them from, or otherwise in the course of vehicle maintenance.

E. Citizens Passengers - May be transported in Agency vehicles only when necessary to accomplish a police purpose or Agency approved program.

F. Family Passengers - Members will not transport family members in Agency vehicles unless specifically authorized by the member's Division Commander or Agency approved program.

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- G. Officers Armed** - Officers will be armed at all times when operating or riding as a passenger in an Agency vehicle within the State of Florida.
- H. Heavy Transport** - Vehicles will not be utilized off duty for transporting heavy or excessive loads, and no objects may protrude from the trunk or windows.
- I. Radio On** - Members will have the police radio turned on at all times while operating Agency vehicles and will be prepared to respond to assist other officers when needed.
- J. Special Privileges** - May be extended to Command Staff Personnel and Civilian Managers with prior approval of the City Manager and Chief of Police.
- K. Smoking Prohibited** - City Rule VIII, Section 21 prohibits smoking in City vehicles.
- L. Training Required** - Members assigned a police vehicle are required to attend and successfully complete the Agency EVOC course biennially if they meet the following requirements:
 - 1. Assigned a marked police vehicle, regardless of position within the agency.
 - 2. Officers considered **first responders** in unmarked vehicles, (Traffic, Youth Services, etc.).

414.4 Assigned Vehicle Program

- A. Participation in this program is voluntary, a privilege, and not a right** - It is contingent solely upon unit assignment, seniority, efficiency, job performance and general merit.
- B. Authorized Area** - Members residing within Brevard County may be assigned a vehicle as a take home privilege. Those members that reside outside of Brevard County but reside within a 35-mile driving distance as defined by the use of Google Maps using 130 Malabar Rd. (Police Headquarters) as the "Start" location and the member's home address as the "End" location may be assigned a vehicle as a take home privilege. The member must reside no further south than the east-west line from the intersection of SR512 and I-95. Off duty use is limited as provided in section 414.4D. (See last page of the General Order for the map reference)

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- C. Community Involvement** - Includes self-initiated participation in civic organizations and community oriented activities that are beneficial to the wellness of the community and the Agency.
1. The participation in these organizations or activities, whether paid or unpaid, is intended to provide a sense of partnership with the community, for example with youth, and be reflective of the Agency's vision, values and goals.
 2. These activities must occur during off-duty hours and not on overtime and requires the written approval of the Chief of Police or his designee.
- D. Off duty Use** - Use of vehicles outside Palm Bay city limits is restricted to travel to and from work, with exception noted below. Personal use of vehicles will continue to be limited to those members who live within Palm Bay city limits. In the course of traveling to and from work, members may pick up and drop off their children from daycare or school within the deferred boundaries. Civilian passengers are not authorized unless it is job related or as authorized by a Division Commander.
1. **Education Privilege** - Use of assigned vehicles is extended to those officers attending advanced education (college) or training programs that directly enhance police skills. Approval for this use will be made on a case-by-case basis. The use is limited to travel to and from courses being held within Brevard, Osceola and Orange Counties. Generally, the course of study for a college program must be approved by FDLE for salary incentive and/or under the Agency's academic achievement policies. The member via the chain of command to the appropriate Division Commander will submit request for approval in writing or e-mail.
 - a. Only employees are authorized to ride in the vehicle, unless otherwise approved.
 - b. The travel should be a reasonably direct route to and from the location of the class or training.
 - c. The vehicle will not be used outside the city limits for personal activity or business not related to the class or training except as would serve the convenience of the agency, or for food break or personal necessity.
 - d. Employees will pay tolls when traveling for college classes.

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- e. Members must obtain written approval to utilize their assigned vehicle for off-duty employment. Members must complete the appropriate form found in General Order [<Off Duty Police Employment GO 222>](#).
- f. Essential on-call personnel will request written approval to use their assigned vehicle countywide. The member, via the chain of command to the Chief of Police or his designee, will submit request for approval in writing or e-mail. This authorization will apply only when the employee is in an on-call status and maintains a readiness status.

2. Off Duty Procedures

- a. **Radio contact** with the Agency Communications Center must be maintained at all times to ensure availability for response to any emergency. Members need not report in or out of service each time they use the vehicle on their off-duty time. However, officers working extra-duty police related details will log on and log off duty via the Communications Center.
- b. **Parking** - No more than two marked vehicles may be parked at any one location by off duty members except when conducting official business.
- c. **Enforcement Action** - While off duty and in civilian attire, members will not initiate traffic enforcement action unless it is necessary to protect life and/or property. Officers will take action on situations occurring in their presence that requires police action or helps serve the interest of community welfare.
 - For instance, render aid and assistance at crash scenes until on duty members arrive and can assume scene responsibilities, assist clearing road hazards and roadblocks and any other circumstances that, if ignored, may escalate into a more serious event, or cause embarrassment to the Agency that a marked police car drove by and ignored the event.
 - Officers must understand that the presence of a marked police car creates a rightful expectation in the public that the officer will react to those events that warrant police involvement and/or public assistance.
 - Traffic enforcement on violations not posing an immediate threat to public safety and non-criminal in nature is prohibited outside the City limits.

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- d. **Duty Responsibility** - When responding to a police incident or when taking police action, an off duty member may be required to assume full responsibility for the situation until duly relieved by on duty personnel.
- e. **Response to Calls** - While operating Agency vehicles off duty, officers will respond to emergency calls for service, criminal incidents, and situations where the public safety is endangered, as needed.
 - When responding from an off-duty status, officers will report on the appropriate primary radio group when insufficient on-duty units are available in close proximity to the incident.
 - Compensation will be paid in 15 minute increments, and will not be considered as callback pay.
- E. **Schools** - When two or more members are assigned to attend the same school, conference, or meeting outside of Brevard County, the minimum number of Agency vehicles will be utilized.
- F. **Use for off duty Employment** - Members may operate their Agency vehicle within Palm Bay city limits to and from their off duty employment. Use of the vehicle for off duty employment will be limited to TCP. Police Academy instructors are permitted to use their vehicles when actively serving as an instructor.
- G. **Limited Duty** - Members assigned marked vehicles while on a light duty status will not participate in the assigned vehicle program.
- H. **Civilian Passengers** - Members operating assigned marked vehicles are not authorized to carry civilian passengers unless it is a result of a public service or approved ride-along program. Members will notify Communications Center of the passenger.
- I. **Discredit to Department** - All members participating in the assigned vehicle program are expected to exercise good judgment in the utilization of the Agency vehicle and will not operate their vehicle in such a manner that will cause unfavorable comment or reflect discredit upon the Agency.
- J. **Proper Attire** - When operating any Agency vehicle during off duty hours, members must be appropriately attired to maintain a favorable image and must have the proper equipment (firearm, Taser, ASP, chemical agent, handcuffs and traffic vest) in order to effectively perform a necessary police function.

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Thong-style shoes, bathing suits, tank tops, and other such attire are not appropriate. Acceptable gym attire is **not** cut off shirtsleeves or work out wear that is in poor condition. A warm up suit is preferred while operating the marked patrol unit.

K. Unmarked Enforcement - Agency vehicles equipped with emergency lights and siren operated by uniformed or non-uniformed sworn personnel may be used in the same manner as marked vehicles.

1. **Failure to Stop** - If a vehicle fails to stop for an unmarked unit, the officer will request a marked vehicle respond to conduct the stop.
2. If it appears that the driver is looking for a well-lit public area to pull over into, the officer may continue the attempt to stop allowing the driver sufficient time to stop in a location he/she perceives is safe.
3. Unmarked vehicles will relinquish their position to a marked vehicle as soon as is practical. If no marked vehicle is available and the situation does not warrant a pursuit, the attempted stop will be discontinued.

L. Fleeing to Elude - No charge of Fleeing and Attempting to Elude will be made against the suspects failing to stop for an unmarked vehicle unless other circumstances exist that show the suspect was aware of the officer's identity and intent.

M. Loss of Privilege - Willful negligence in the care or operation of vehicles or failure to comply with the directives regarding assigned vehicles will be grounds for loss of the assigned vehicle. The Chief of Police or his designee will make this determination.

N. Mutual Aid - All officers must be familiar with the Brevard County Mutual Assistance Agreement.

O. Authority of Chief - The Chief or his designee has the sole discretion to assign, deny, suspend, or remove any employee from the assigned vehicle program. The Chief of Police or his designee must authorize any modification or deviation from this policy in writing.

414.5 Maintenance and General Repair

A. All Agency personnel will be responsible for the general maintenance, care, cleanliness and condition of their assigned vehicle while on scheduled duty time. Members will inspect the vehicle and emergency equipment at the

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beginning of each work week. Work done off duty is not required, nor encouraged, and would be strictly voluntary. The assigned operator will follow the City's preventive maintenance schedules and, when possible, such maintenance will be scheduled for the employee's days off.

B. Prohibited Maintenance - Unless authorized by their Division Commander, members are prohibited from the following:

1. Making any mechanical adjustments or alterations, unless authorized.
2. Altering the body, frame, general design, appearance, markings, or making any mechanical or electrical system repairs.
3. Making any repairs or having any repairs made to the vehicle other than at the City's maintenance facility without approval from the member's Division Commander.
4. Using liquid additives in the vehicle other than those supplied at authorized maintenance facilities.

C. Fleet Services Authority - All maintenance, service and repair work must be performed by City's Fleet Services Department or authorized facility. Upon receiving a vehicle from a repair facility, the operator will inspect the vehicle for damage and proper operation. All vehicles will be serviced at the intervals specified by the City's Fleet Services Department.

D. Overtime and Repair Scheduling - Overtime pay is not authorized for an officer to deliver or pick up an assigned vehicle. When possible, officers should schedule the preventative maintenance and repair to their vehicles during days off. This will substantially reduce the need for pool cars. Officers may also arrange to borrow off duty officers' patrol cars. Officers will drop off or pick up their assigned vehicle from the Fleet Services Department during duty hours.

E. Pool Cars Not Assigned - When an assigned vehicle is inactive due to extended maintenance work, members will utilize a pool vehicle for on duty assignments only, or arrange to borrow another off duty officer's vehicle. Pool vehicles will not be assigned for utilization in the assigned vehicle program unless authorized by the member's Division Commander.

1. At no time may a member use any vehicle at Fleet Maintenance unless it is a pool vehicle.

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2. Members may use other police vehicles at Fleet **only** if they get approval from Fleet Services or a sworn supervisor. In these cases, unless there is clear approval from a sworn supervisor or Fleet Maintenance, members **will not** take the vehicle home.
- F. **Fluid Levels Checked** - In general, the operator is responsible to check and maintain vehicle fluid levels each week. However, if a vehicle is assigned to a person, that person bears the responsibility.
 - G. **Delivery of Vehicle** - If a vehicle in need of general maintenance or repair can be operated safely; the operator will drive it to the City's maintenance facility, fill out the proper repair forms, and leave them on the dashboard. The keys will not be left with the vehicle.
 - H. **Tow of Disabled Vehicle** - When a vehicle cannot be operated safely, the operator will call the Communications Center to have a wrecker off the "non-revenue" rotation list respond and tow the vehicle to the Fleet Services facility. It is the operator's responsibility to secure the vehicle and remove all firearms, MDB, evidence and contraband before the vehicle is towed. The operator will also notify Fleet Services for repair. If the vehicle becomes disabled outside of Brevard County, the operator will notify the Communications Center and request the on call Fleet Services representative to arrange for tow of the vehicle.
 - I. **Vehicle Return to Use** - No vehicle that has been listed as out of service will be used until it has been repaired or the on duty supervisor or higher ranking officer has checked the reason for the vehicle being down and determined it is safe to operate.
 - I. **Flat Tires** - It is the responsibility of the operator to change flat tires. The operator will take the flat tire to the City's maintenance facility as soon as is practicable to exchange it for a new spare. With supervisory approval, Fleet Services may be called if available.
 - J. **Expendable Supplies** - The operator will replace any expendable supplies, such as flares, paint, first-aid equipment and fire extinguisher, which he uses.
 - K. **Fuel** - Fuel and oil will be obtained at the City's maintenance facility. Members are prohibited from fueling their personally owned vehicles even if they must use them for limited work related duties. If the member must use their personal vehicle, the member will obtain prior approval from their supervisor and submit a mileage reimbursement request to the City. The use of the City fuel credit

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card will be used for Agency vehicles only and only for extended travel outside the City or emergency fuel situations.

414.6 Traffic Crashes Involving City Vehicles

- A. **City Limits** - Crashes which occur within the City limits will be investigated per [<Traffic Accidents Investigations GO 506>](#).
- B. **Outside City Limits** - Crashes that occur outside the City limits of Palm Bay will be investigated by the Florida Highway Patrol if possible.

414.7 Vehicle Damage Other Than Traffic Crashes

- A. **Documentation** - Any time a vehicle is damaged from other than involvement in a traffic crash, the operator will submit an email to his supervisor. The email will explain the extent of the damage and the attendant circumstances. The supervisor will forward the email to the operator's Division Commander before the end of shift. The Division Commander will review the memorandum and then forward it to the Police Department Fleet Management Officer. The Department Fleet Management Officer will forward a copy of the memorandum to the City's Risk Manager.
- B. **Log** - The Fleet Management Officer will maintain a damage log for each vehicle and provide copies to each Division Commander, with updates as incidents occur and repairs are made.
- C. **Unreported Damage** - Any unreported damage found by an operator prior to use will be immediately reported to the supervisor of the unit to which the vehicle is assigned. The supervisor will complete an email detailing the damage and forward it to his Division Commander with a copy to the Fleet Management Officer. The supervisor will investigate the cause of the damage and determine the person is responsible.
- D. **Operator Responsibility** - An operator's failure to inspect a vehicle prior to use will not relieve the operator of responsibility for discoverable damage found therein. This will not apply to concealed damage or damage that would not reasonably be discovered through normal inspection.
- E. **Disciplinary Action** - Employees who willfully and wantonly cause or who attempt to conceal any damage to an Agency vehicle, will be subject to disciplinary action and may be required to reimburse the City for such damage.

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414.8 Push Bumpers - The primary function of the push bumpers are for assisting disabled or crash vehicles from the roadway in order to restore normal traffic flow. Providing these traffic related services to the public often directly affects the safety of all motorists and enhances the public service image of the Department. The only other authorized use of push bumpers is during events involving exigent circumstances and imminent danger. Effective use of the push bumpers in the public eye will be professional and restricted. There are inherent risks involved in using the push bumpers including damage and personal injury, so strict adherence to this policy will be followed. Only those vehicles which are properly equipped with push bumpers will be used in this manner. **Only officers who have been trained in the use of the push bumpers through the Training Unit are authorized to utilize them.**

A. Vehicles equipped with push bumpers may be used to remove crash or disabled vehicles from traffic ways to an immediate place of safety to include the shoulder or curb. When doing so, all members will consider the following information:

1. Designate an area of safe relocation (i.e. curb, shoulder of the roadway, or parking lot).
2. Consider the vehicle that you are pushing; matching bumper heights, is the vehicle too heavy for your car, or where the contact point would be.
3. Terrain assessment is essential in making sure you can safely move the vehicle without traveling over hills, curbs, medians, or ditches. Remember roadway surfaces that are not relatively flat will disrupt both vehicles and could cause damage. Pushing the vehicle properly will not cause damage, traveling over surfaces that rise or lower the vehicles will.

B. Vehicle Contact

1. The suggested area of contact for the pushed vehicle is the rear bumper. The contact speed should not exceed 1 MPH. Your approach should be as straight as possible and very slow allowing the contact to be made gradually.
2. Spotters should be used whenever practical to assist with the lining up of both vehicles to contact. In all cases, extra care should be given to avoid any damage to either vehicle.
3. Agency members will push the vehicle in a slow and controlled manner and will only push in a straight line.

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- a. Members will not push vehicles in curves or in corners.
 - b. If necessary to enter a curve or corner, disengage from the pushed vehicle and allow it to free roll until it stops, then reengage to your predetermined location. The same applies if you are pushing in a straight line but fall short of your destination. You can then reengage after the complete stop and begin again.
4. Department members will not push vehicles through any type of ditch.
 5. If necessary, Agency members can push vehicles from the front of a vehicle in order to assist with clearing a roadway. Members will be aware of the possibilities of setting off air bags and creating front end damage to either vehicle during this push if this is done improperly, caution is advised.
 6. All emergency vehicle lights will be activated while any Agency vehicle is utilizing the push bumper.

C. Information that will be Relayed to the Operator of the Pushed Vehicle

1. The member will explain the purpose and method of removing the vehicle from the roadway to the vehicle owner/operator.
2. The member must obtain the vehicle owner/operators permission to use the push bumper.
3. The owner/operator will be instructed to sit in their driver's seat and steer the vehicle.
4. The member will inform the owner/operator where the location the vehicle will be pushed.
5. The owner/operator will be advised not to apply their brakes until after the Agency vehicle has disengaged from their vehicle.
6. They will be advised that they will not be pushed through the corners or curves. They will be instructed to free roll through the curve or corner and come to a complete stop just after the turn. After the turn is complete, the Agency vehicle will reengage their car.

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7. The member will assist the owner/operator in any way possible after the vehicle has been moved to a safe location while adhering to Agency policies.
- D. Damage** - Any damage that is caused while pushing a crashed or disabled vehicle will immediately be reported to the member's supervisor. The supervisor will ensure that photographs are taken and the incident is documented, to include notification of the risk manager via chain of command.
- F. Vehicle Pursuits** - Agency members, while engaged in an approved/authorized vehicle pursuit, will not use push bumpers to forcibly stop a vehicle unless authorized by a supervisor.

414.9 Special Purpose Vehicles

A. All-Terrain Vehicle (ATV or Gators)

1. The ATV is used for incidents that require special maneuverability and to provide a more effective response to calls for service in underdeveloped areas within the City of Palm Bay. These vehicles may also be utilized for special events including but not limited to holiday parades, missing persons, etc. The ATV is designed to be used 24 hours a day on an as needed basis.
2. Operators will complete an ATV orientation as required by the Training Unit before receiving authorization to operate the ATV.
3. Usage instructions, conditions and limitations:
 - a. Operators must have a valid Florida driver's license.
 - b. Operate the ATV in a safe and prudent manner while obeying all applicable traffic laws. Consideration for pedestrian and vehicle traffic and weather conditions are but a few of the concerns an operator must consider while operating the ATV.
 - c. Eye protection and closed-toed shoes will be worn by ATV operators.
4. Responsibility for care and maintenance:
 - a. Prior to operating the ATV, a vehicle inspection will be conducted to ensure the vehicle is safe to operate.

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- b. Assigned operators are responsible for cleaning and refueling upon completion of use and report and damage or malfunctions to the Training Unit.

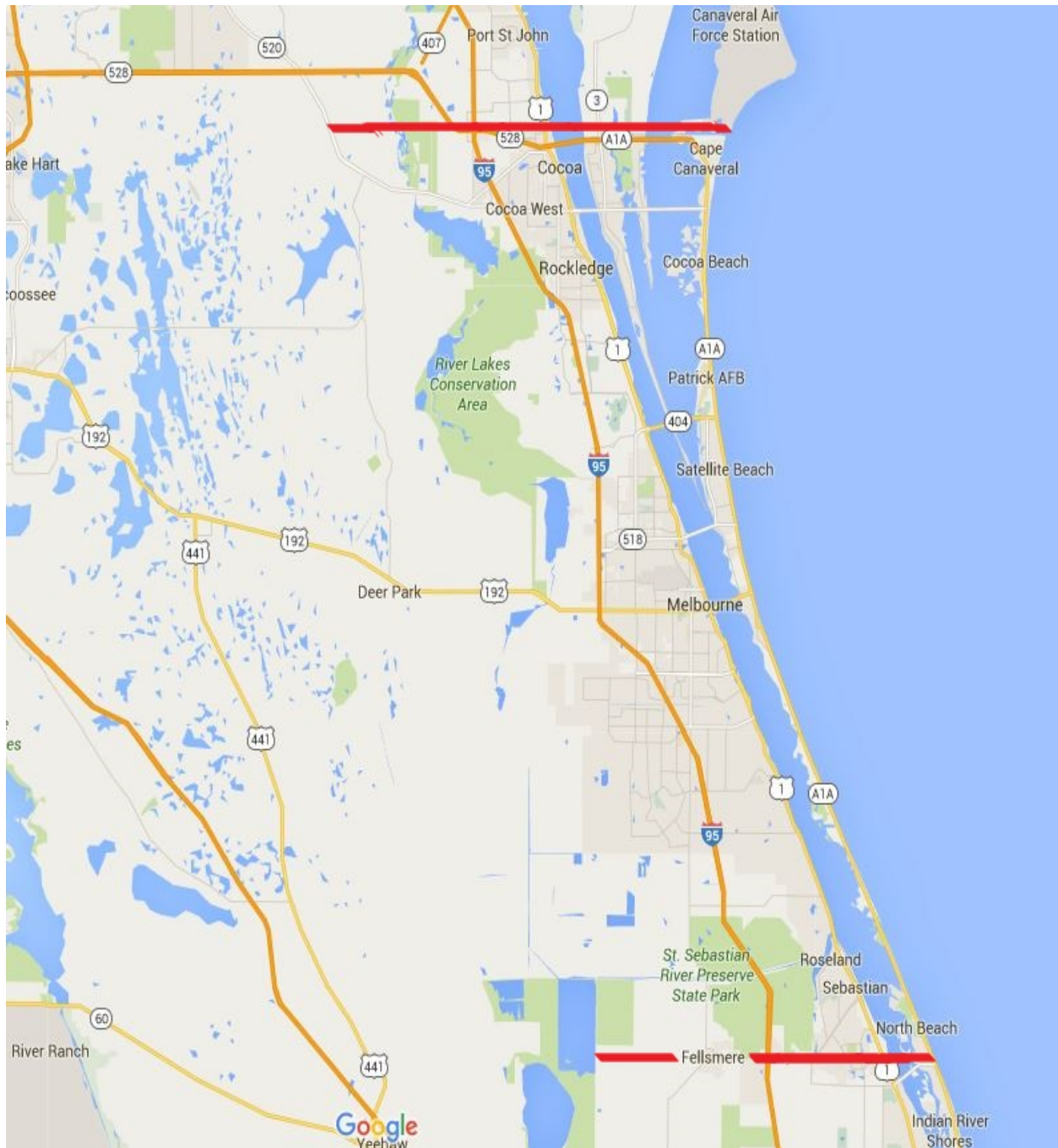
B. Motorcycles

1. The motorcycle is primarily used for traffic enforcement and is also used for escorts, parades and demonstrations.
2. Qualifications required:
 - a. Operators must have a valid Florida driver's license with a motorcycle endorsement.
 - b. Operators must successfully complete a Police Motorcycle Riding course approved by the Agency.
 - c. Operators are encouraged to attend training on a monthly basis.
3. Usage instructions, conditions and limitations:
 - a. The motorcycle may be operated on a routine basis as a traffic enforcement vehicle primarily during the daytime hours.
 - b. Motorcycles will not be used when known unsafe mechanical malfunctions exist.
 - c. Motorcycles should be used during fair weather conditions, not when inclement weather creates a less-than-safe operating environment.
 - d. Motorcycles are not authorized to be utilized in a pursuit absent exigent circumstances and supervisor approval.
4. Responsibility for condition and maintenance
 - a. Operators maintain the motorcycle in a clean, polished and waxed condition at all times, weather conditions permitting.
 - b. The operator is responsible for reporting any mechanical defects or mechanical malfunctions to the Logistics Manager.
5. List of required equipment:

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- a. Emergency lights / siren
- b. Two-way radio
- c. First aid kit
- d. Radar / laser unit (optional)
- e. Gloves (optional), rain gear and traffic vest

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North and South areas noted by the red line on the map.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Infectious Disease Control	Order No: 415	
Rescinds: GO 415 Revised: 09/08/11	CFA 5th: Chapter 29	Revised: 02/01/16
Reference: OM A415, OSHA Blood Borne Pathogen Standard 29 CFR 1910, 1030 and 112.181 FSS		

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415.8	<u>Evidence and Crime Scenes</u>

415 Policy

- A.** This Policy is to establish safety procedures for **all** members while they are working with bio-hazardous material and blood borne pathogens and to promote safe work practices in handling potentially infectious materials, persons, or property. All members will receive training and have access to the Blood Borne Pathogen Exposure Control Plan, [OMA 415](#) and have the right to know information and treatment plans related to exposures of this nature. This exposure control plan meets two objectives:
1. Protect members and their family members from work related exposures.
 2. Should an exposure occur, appropriate testing, treatment and counseling are provided.
- B.** The member's privacy rights, in regards to confidential medical information and details related to the exposure incident, will be strictly maintained.

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415.1 Responsibilities

A. Occupational Exposure Determination - The Agency will maintain a continuously updated written list of all member job classifications whose job tasks expose them to human blood or potentially infectious materials. This determination will be made without regard to the use of personal protective equipment.

B. Palm Bay Police Department Safety Manager [GO 707](#) - The Safety Manager will also serve as the Police Department's Exposure Control Officer. The Safety Manager responsibilities include, but are not limited to:

1. Overall management and support of the Blood Borne Pathogen Compliance Program in keeping with OSHA Regulation 29CR, Part 1910, The Ryan White Comprehensive AIDS Resources Emergency Act, Section 112.181 Florida Statutes, and City of Palm Bay Personnel Rules and Regulations Section 19.
2. Reviews, approves and forwards all Notice of Injury Reports, Supervisor Investigation Reports and Exposure Reports to the Risk Management Team from the City Attorney's Office.
3. Implementing the Exposure Control Plan for the entire Agency.
4. Remaining current with legal requirements concerning Blood borne Pathogens.
5. Collecting and maintaining a reference library on the Blood borne Pathogen (OSHA) Standard and Safety and Health information.
6. Remaining current with legal requirements concerning Blood borne Pathogens.
7. Acts as the Agency Liaison during OSHA inspections/State of Florida.
8. Coordinate with the Training Section to implement and coordinate indoctrination into the Hepatitis B Vaccination Program with accompanying training and documentation, and assisting in any follow-up that may be required.
9. Monitor, determine and update member job classifications whose job task exposes them to human blood or potentially infectious material.

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C. Division Commanders - Division Commanders' responsibilities include, but are not limited to:

1. Ensure **immediate** initial counseling to members about exposure, treatment and rights to testing as outlined in the Exposure Control Manual.
2. Ensure **timely** completion and forward the confidential Exposure Report, Notice of Injury and Supervisor Investigation Report forms to the Safety Manager.
3. Ensure subordinates are trained in Exposure Control procedures in the Division.

D. Training Officer - Activities that fall under the direction of a designated training officer include, but are not limited to:

1. Responsible to ensure training is provided to **all** members about exposure to blood borne pathogens.
2. Maintain an up-to-date list of trained Agency personnel.
3. Develop training programs.
4. Schedule biennial update training to at-risk members.
5. Maintaining appropriate training documentation.
6. Arrange for optional Hepatitis B vaccinations with the member and the service provider.

E. Members - The ultimate execution of the Exposure Control Plan rests with members. A member's responsibilities include, but are not limited to:

1. Knowing what tasks have a potential for occupational exposure.
2. Attending the Blood borne Pathogens training sessions.
3. Following the Exposure Control Plan.
4. Developing good personal hygiene habits.

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5. Reporting, via Exposure Report from, any suspected exposure and completing the Notice of Injury form (if applicable).

415. 2 Guidelines for Recognizing Exposure Incidents

A. Level I Exposure (No treatment required)

1. Exposure contact is limited to merely being in the presence of a person suspected of having a communicable disease with no likely risk of being contaminated or infected.
2. Exposure contact is limited to contamination of personal protective equipment.
3. No special action required. All contaminated personal protection equipment must be decontaminated or disposed of consistent with Departmental procedures for Universal Precautions. [OMA 415](#)

B. Level II Exposure (Treatment optional)

1. Exposure is limited to merely being in the presence of a person **known** to have a communicable disease with minimum risk of being contaminated or infected.
2. Exposure contact to healthy unbroken skin on a member from another person's blood, body fluids or tissues whether or not they are known to have a communicable disease.
3. The exposed member must complete an [Exposure Report Form](#). If the member believes they have been exposed to a biohazard, the member may elect to be examined at the designated medical facility. The information from the Exposure Report Form will be used by the facility staff to complete the Post Exposure Evaluation form. If medical treatment is sought by the member, the requirements listed in **C(3)** must be completed.

C. Level III Exposure (Treatment recommended)

1. Exposure is made by merely being in the presence of a person known or suspected to have a communicable disease with a high risk of being contaminated or infected.
2. Exposure contact to broken skin, open cuts, wounds, mucous membranes or parenteral routes of a member from another person's

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blood, body fluids, or tissues despite whether the person is an unknown, suspected, or known carrier of a communicable disease.

3. The exposed member must complete an [Exposure Report Form](#) and must be sent to the designated health care facility for evaluation and possible treatment. The information from the Exposure Report Form will be used by the facility staff to complete the Post Exposure Evaluation form. An [Injury Report Form](#) will be completed by the member's supervisor.

415.3 General Program Management

A. Availability of the Exposure Control Plan to members:

1. Each member will receive a copy of this policy during their initial training. Revisions and updates will be issued to all members as required.
2. Members will receive information regarding the Exposure Control Plan [<OMA 415>](#), during their pathogen training and will have access to a copy of the Exposure Control Plan located in their respective Resource Center and digitally.

B. Exposures

1. **All members will immediately (as soon as possible) thoroughly wash hands and other skin surfaces that are contaminated by blood or other body fluids.** The hand washing will be done even if the gloves that were worn appear to be intact. This hand washing can be accomplished by using a waterless hand cleaner. When an aseptic hand cleaner or towelette is used, the member will again wash their hands with soap and running water as soon as feasible.
2. **Members will report an exposure immediately to their supervisor.** The supervisor will ensure the Exposure Report Form, Notice of Injury and Supervisor Investigation Forms are completed. If it is a Level II exposure and the member elects to be examined, or a Level III exposure, the Division Commander or designee will notify the designated medical facility and have the member respond to the appropriate medical facility for evaluation.
3. Treatment should be as soon as practical. The Risk Management Team from the City Attorney's Office will be notified as soon as

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possible. The facility will complete a written evaluation of the exposure incident and advise the member on options available.

4. The Health First Occupational Medical facility is the designated medical facility for the City of Palm Bay. The office is located at 1051 South Hickory Street in Melbourne. If an exposure occurs during normal business hours (9 a.m. – 5 p.m.), the member should go to the Health First facility. If the exposure is after normal business hours, they should go to Palm Bay Community Hospital if medical treatment is required. In either case, the Occupational Medicine facility will provide the member with follow-up treatment and counseling as required. **No medical information, including documentation related to any vaccination, will be maintained in any form or file except in the confidential medical file maintained at the Human Resources Department and authorized medical providers.**

415.4 Immunization and Testing - Refer to Operating Manual [OMA 415](#).

415.5 Training - Refer to Operating Manual [OMA 415](#).

415.6 Family Protection [FOP Contract](#) Article 26

- A. If a Sworn Officer, while carrying out their duties feels they have been exposed to a contagious disease and they wish to be tested and/or receive treatment, they must complete the Exposure Form and Workers' Compensation Notice of Injury Form within three working days of the exposure incident or date they are notified of the exposure.
- B. The City will pay the expense for the inoculation and immunization for the member and member's immediate family if provided by a physician designated by the City.
- C. If access to a city designated physician takes longer than three working days from the date the officer reports the exposure, the City will reimburse members and family members covered by one of the City's insurance programs any co-payment required for inoculation and/or immunization required due to the exposure to a contagious disease as a result of the officer carrying out their duties.
- D. The officer must present verification of any costs incurred. If the officer receives treatment for such exposure, the officer is required to complete the entire treatment plan prescribed by the City's physician. Failure to

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do so bars the officer from holding the Department and City responsible for the exposure.

415.7 Testing of Source Individual - See [OMA 415](#).

415.8 Evidence and Crime Scenes - See [OMA 415](#) and Crime Scene Investigations Operating Manual [OMB 602](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Employee Death and Injury	Order No: 416	
Rescinds: GO 416 Revised: 04/23/15	CFA 5th:	Revised: 11/01/17
Reference: Employee Death and Injury Form		

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416 Policy

- A.** It is policy to have procedures and resources in place that will ensure the proper support and emotional care for a member's family, co-workers, and other members of the Agency following a line of duty death.
- B.** The intent of this directive is to provide assistance to the immediate survivors of any member who dies in the line of duty. This assistance will be provided whether the death was either unlawful or accidental, while the member was performing a police-related function, either on or off duty and while the member was in active status with the Agency. At the discretion of the Chief of Police, this procedure or parts of this procedure may be used in the event of the natural or non-duty related death of a member.
- C.** All members have the opportunity and are encouraged to participate by completing the [Employee Death and Injury Form](#). Completed forms are forwarded to the Administrative Assistant to the Chief of Police for retention.

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The completed forms remain confidential until an event precipitates the need to review the contents. The files will be secured by the Administrative Assistant to the Chief of Police.

416.1 Notification Team

A. Coordination - Coordination of events following a line of duty death is complex. There is no set course of action or predictable outcome. However, the degree of compassion and professionalism shown by our Agency in meeting this challenge will have a direct affect on the healing process of survivors and the police family. Specific tasks may be assigned to members of the Agency and the following procedures are merely an outline of Agency tradition.

1. These guidelines may be modified to accommodate active duty personnel or retired personnel who die of other causes, at the request of the Chief of Police, Chaplain, Honor Guard Commander, or immediate family of the deceased officer.
2. Any member may be called on to fill more than one of these roles. It is important that there be a contingency in case the deceased is one of the designees or the designated member is so emotionally debilitated by the loss that they cannot perform the role. These roles are outlined in the following section of this directive.

B. Notification Team Responsibilities - Proper notification of survivors can make a major difference in how a family eventually begins to deal with the unexpected loss of a loved one. The following are standard guidelines:

1. **In-person notification must always be in person and never over the telephone.** The human presence will convey a certain degree of compassion that is needed in this most stressful time. A team that is present can also help if the survivor has a dangerous shock reaction.
 - a. If it is known ahead of time that a survivor has a particular medical condition, i.e., pregnancy or heart condition, EMS should be put on standby.
 - b. The team can also assist if multiple family members and children are present and need assistance.
 - c. The team should be prepared to assist adult survivors notifying children.

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- d. If survivors live out of the area, the team should contact the police department in that area and request them and any other needed additional support, i.e., EMS, accompany the team to make notification.
 - e. Phone notifications are not acceptable and should be communicated to the other law enforcement agency. It will be mandatory that all contacts be made in person.
2. **The team should consist of two or three people who will respond in separate vehicles.** The team never knows what it will encounter and one may need to drive a spouse to the hospital while another stays to watch children, or help contact family and friends for support.
 - a. Ideally, the team should consist of an officer in uniform and perhaps a clergy member or counselor.
 - b. A line of duty death information sheet could provide assistance in choosing team members, but time should not be wasted.
 - c. The media certainly will not waste time reporting the death.
 3. **Once at the location, the team should attempt to move the notification inside, not on the doorstep.** The presence of the team already has alerted the survivor of a problem.
 - a. Identify yourself, move inside and make sure you have the right person; then relate the message in plain language.
 - b. Vague expressions such as “passed away” or “lost” do not help. State clearly “your husband was shot today and he died,” or “your daughter was in a car crash and she was killed.” Use the name of the victim if possible.
 4. **Notification may not always occur at the home.** If the survivor(s) are at work or school, a private room or location should be requested. The survivor’s boss or co-workers do not need to be told your purpose. Release of information to them should be with the survivor’s permission only.
 5. **If notification takes place at the hospital, the team should coordinate with hospital officials.** A private room should be provided and, if possible, have the doctor present in clean clothing to answer questions.

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6. **The survivors should be allowed to view the body if that is their wish.** However, they should be advised as to the condition of the body and any forensic concerns if the death was unlawful. Be honest regarding the disposition of the body and any need for an autopsy.
7. **The team should be prepared for a wide range of responses from the survivors.** Responses can vary from violent lashing out, to a numb almost non-response.
8. **The team should remain with the survivors until a support structure of family and friends is in place.** The team needs to be aware that they cannot “fix” this problem, they cannot make it better. Their *presence and compassion* are the most important resources they provide to the survivor. The team should coordinate with the survivor the follow-up contact that will be made the next day.
9. **Once clear of the family, the team should discuss the follow-up tasks.** They should critique the notification for future improvements. The team needs to be frank and honest in discussion of their own feelings and concerns and they need to support each other.

416.2 Hospital Liaison - The hospital liaison coordinates the activities of the hospital personnel, the member’s family, police officers, and the press as follows:

- A. Waiting area for family and notification team. Room should be quiet and secluded.
- B. Waiting area for police personnel and friends. Access to the family should be at the family’s request only.
- C. Establish a separate staging area for the media. If known, advise them as to when and who will brief them.
- D. Ensure information regarding the officer’s condition goes to the family first, before general release.
- E. Notify the hospital that medical bills relating to the deceased officer should be directed to the Agency or City of Palm Bay. The family should not receive any bills at their residence.

416.3 Family Liaison - Each member of the Agency will make the selection of a personal family liaison when they complete a line of duty death information packet. The officer and their family can select a fellow officer or supervisor for this role. This is

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not a decision making position. The liaison acts as the family's advocate when dealing with the Agency on matters involving benefits, funeral arrangements, etc.

Employee Death and Injury Form

- A.** The family liaison ensures that the needs and wishes of the family come before those of the City of Palm Bay or the Agency. The family may not want an elaborate police funeral. If they do, the liaison can brief them on the procedures.
- B.** The family liaison will keep the family apprised of any on-going investigation regarding the employee's death and accompany the family to court proceedings, if they choose to go.
- C.** Provide assistance overseeing travel and lodging arrangements for out-of-town family members, arrange for food for the family, and help meet childcare needs.
- D.** The family liaison can expect to work closely with the Agency liaison and the benefits coordinator.
- E.** Will be tasked to clean out the employee's locker, desk, and patrol car of personal items and deliver the items to the next of kin. Agency equipment will be turned into Supply. This should avoid added pain for the family, should unexpected items be found.
- F.** Assist survivors with banking, insurance and safe deposit box matters using the line of duty death information sheet previously filled out by the officer.

416.4 Agency Liaison - Due to the coordination of resources, it is preferable that a supervisor holds this position to perform the following:

- A.** The Agency liaison will handle the media during the incident. If the family chooses to accept an interview, the liaison should attempt to screen questions for appropriateness and those that may jeopardize subsequent legal proceedings.
- B.** The Agency liaison may coordinate the presence of a uniformed officer and a marked unit positioned outside the family's residence 24 hours a day from the time of the incident until two days after the burial. The decision to provide the above security will be made by the Chief or his designee, after consultation with the family reference their needs and desires.
- C.** Meet with the following to coordinate funeral activities and itinerary:

- 1.** Family Liaison

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2. Chief of Police
 3. Funeral Director
 4. Family Clergy
 5. Honor Guard Commander, i.e., Honor guard, piper, bugler, etc.
 6. Traffic Commander
- D.** Direct funeral activities according to the wishes of the family.
- E.** Issue a Statewide Teletype message to include the following:
1. Name of deceased
 2. Date and time of death
 3. Circumstances of death
 4. Funeral arrangements
 5. Uniform of the day
 6. Expressions in lieu of flowers
 7. Name and phone number of contact person for visiting departments
- F.** The family desires a burial in uniform, have the family liaison obtain a uniform and all accouterments for the funeral home. (Make arrangements to recover these items before burial).
- G.** Funeral Duties
1. A flag for the coffin should be obtained from the Fraternal Order of Police. Determine who will present it to the family and to which family member.
 2. Assign members of the Agency to serve as ushers and Honor guard to stand post during the viewing.
 3. Brief staff and the Chief of Police regarding arrangements.

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4. Ensure that all surviving family members are recognized and placed for the funeral.
5. Coordinate with the Traffic Commander in coordinating traffic management and manpower allocation.
6. Maintain a roster of visiting and assisting departments for later acknowledgment.
7. Assign a marked unit to remain at the officer's residence during the viewing and the funeral proceedings.
8. Arrange for regular checks of the survivor's residence by patrol units for several weeks following the funeral.
9. Prepare a briefing as soon as possible for the Agency. Providing factual information at roll call will help with control rumors and hearsay.

416.5 Benefits Coordinator - Human Resources Department

- A. The benefits coordinator will gather and maintain information on all benefits available to families experiencing a line of duty death so that the most up to date information is readily at hand.
- B. Will file appropriate paperwork for benefits, including worker's compensation and victims of crime compensation on behalf of the family. Will follow through with the family to ensure benefits are being received.
- C. Contact appropriate departments to ensure death and retirement benefits, remaining paychecks, payment for remaining vacation, sick, and compensatory time or any type of benefits are paid to the family.
- D. Set up trust funds or educational funds.
- E. Contact organizations such as the Fraternal Order of Police, the Attorney General's Office, and Concerns of Police Survivors for additional benefits information that may be available to the family of the officer.
- F. Meet with the family a few days after the funeral. Supply in writing a list of benefits/funeral payments to which the family may be entitled. Assist with collection of these benefits.

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G. If there are surviving children from a former marriage, the guardian of those children should also receive a list of qualifying benefits.

H. Schedule follow-ups to ensure that benefits are being received.

416.6 Honor Guard Supervisor

A. Work in conjunction with the Agency liaison in coordinating funeral arrangements

B. Ensure that the wishes of the family are carried out

C. Assist in the coordination of official visits

D. Assist the family liaison and Agency liaison in returning the deceased officer's personal property to the family

E. If desired by the family, assist in the selection of the pallbearers from among close friends of the deceased officer

F. Ensure that selected pallbearers wear the prescribed uniform, white gloves, and bear the casket during the funeral cortege

G. Be responsible for the notification, arrangements, and scheduling of:

1. Honor Guard

2. Color Guard

3. Twenty-one Gun Salute

4. Buglers and/or Bag Piper

5. Other agency Honor Guards

6. Departmental floral arrangements

7. Obtaining the burial flag from the Agency liaison

8. Other special ceremonial tributes as determined by the Chief of Police, Clergy, Honor Guard Commander or immediate family of the deceased officer

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416.7 Traffic Coordinator

- A. Be responsible for the selection of a staging area for the funeral procession
- B. Plan the route for the funeral procession
- C. Assign the motorcycle escort
- D. Assign personnel for traffic control to address any funeral related traffic concerns
- E. Notify the clergy, on behalf of the family, of the time and location of the funeral staging area and any reception to follow
- F. Be responsible for the staging and parking arrangements at the funeral service and at the burial site

416.8 Other Responsibilities

- A. **The Crime Scene Unit** will be responsible for producing two 16" X 20" photographs of the deceased officer from the Agency photo file. One photograph will be framed and presented to the family. The remaining photograph will be displayed in the lobby of the Police Department building for a period of 14 days from the date of the officer's death. The Crime Scene Unit will also be responsible for reproducing a 5" X 7" photograph for the Agency's permanent memorial display case on the "Honor Wall".
- B. **The Training Unit** will be responsible for briefing all newly hired probationary police officers on the history of the Agency, to include presenting them with the details of any incident resulting in career-ending injuries or the death of an officer in the line of duty. This will ensure that their service is honored and the details of their incidents can be used to prevent future tragedy or loss.
- C. All officers attending funeral services will ensure that their uniforms and vehicles are properly cleaned.

416.9 Continued Support

- A. **Needs of Survivors** - All members of the Agency must remain sensitive to the needs of the survivors long after the officer's death. The grief process has no timetable and the experience may be complicated. More than half of the surviving spouses can be expected to develop a post-traumatic stress reaction to the tragedy.

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- B. Police Family** - Survivors should continue to feel a part of the “police family.” They should be invited to Agency activities. Members should be encouraged to keep in touch with them. Arrange to visit the family at home. So long as the family expresses a desire for these contacts, they should continue.
- C. Anniversary Support** - The Chief of Police should observe the anniversary of the officer’s death with a short note to the family and offer to accompany them to place flowers on the grave.
1. Annually the union/agency will provide flowers and lighted candle at the designated memorial location at the police station to honor the fallen officer.
 2. At the Chief’s discretion, dispatch will tone out the “End of Watch” on the anniversary and at the time of the incident in which the officer was lost.
 3. There will be an “Honor Wall” at the police station. This is an area to display photographs or plaques in remembrance of fallen officers in honor of their service.
- D. Holidays Support** - Holidays may be an especially difficult time for the family, particularly if children are involved. Increased contact and support are important at these times.
- E. Family Liaison** - The family liaison acts as a long-term contact with the surviving family.
- F. Duties of Family Liaison** - The family liaison should continue to ensure that the family’s needs are met, and if the death was unlawful, keep them informed of proceedings, accompany them to court, and arrange for them to speak with investigators after the trial. The family liaison should also inform the family of future parole proceedings.
- G. Officer Support** - A line of duty death is one of the most tragic critical incidents that an agency will face. It is also one of the few where a critical incident stress debriefing is mandatory instead of voluntary. Refer to P&R Critical Incident Stress Management Team. These services can be easily obtained at no cost from the Critical Incident Stress Debriefing Team of Brevard at 633-2056 Ext. 2565.

416.10 Protocol

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A. Mourning Period - The official mourning period observed by the Agency for a Central Florida Law Enforcement Officer killed in the line of duty will be until after the officer's funeral service or **10 days** from the date of death, during which time Agency personnel will:

1. Affix a black band across the center portion of any badge worn by an employee of the Agency.
2. Affix a black flag to the antennas of appropriate Agency operated vehicles.
3. Affix a black band diagonally across the license plates of all Agency vehicles.
4. Display of the United States, State of Florida, and City of Palm Bay Flags at half of full staff.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Leave Approval		Order No: 417
Rescinds: GO 417 Revision: 04/30/15	CFA 5th	Revised: 09/06/17
Reference: CBA FOP, NAGE White, City Rule 11		
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417	<u>Policy</u>	
417.1	<u>General</u>	
417.2	<u>Leave Approval Process</u>	
417.3	<u>Compensatory Leave</u>	

417 Policy

- A.** The Agency will make every effort to ensure that each member may schedule and be granted leave with a minimum of inconvenience.
- B.** A leave request for vacation, bank, compensatory time, or any other leave use, (not sick or bereavement), is not considered approved until the member has received a completed leave request signed by their designated level of supervision responsible for work schedules through Executime. Members who desire to use more than eighty (80) consecutive hours of vacation or compensatory leave for annual vacation purposes shall submit a written request for vacation to the Chief at least three (3) months prior to the first day of the requested vacation.

417.1 General

- A. Accrual** - Vacation leave will accrue in accordance with current City policy or any governing Collective Bargaining Agreement.
- B. Compensatory Time** - Will be managed pursuant to applicable collective bargaining agreements. Compensatory time for members not covered by a collective bargaining agreement will be governed in accordance with City Rules and Regulation 11.
- C. Substitute Leave Time** - Members who become ill or injured while on leave status may substitute accrued sick leave for vacation leave.

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417.2 Leave Approval Process

- A. All members wishing to use any type of leave, (excluding bereavement), must first complete an electronic request in Executime. This leave request will be forwarded to the member's supervisor for approval/denial.
- B. For members requesting to use bereavement leave, they must first notify their supervisor of their intent and nature of the relationship to the deceased. This will determine the amount of leave granted to the member. Proof of death in the form of an obituary or funeral home notice will be submitted to the member's supervisor. For definitions of immediate family members and defined times, see applicable CBA. The breakdown for the leave is as follows:
 1. 8 hour employees
 - a. 8 days – Spouse, child or step child living in the household (FOP)
 - b. 10 working days – Spouse, child or step child (NAGE)
 - c. 3 days – In state immediate family
 - d. 5 days – Out of state immediate family
 2. 10 hour employees
 - a. 7 days – Spouse, child or step child living in the household (FOP)
 - b. 10 working days – Spouse, child or step child (NAGE)
 - c. 3 days – In state immediate family
 - d. 4 days – Out of state immediate family (FOP)
 - e. 5 working days – Out of state immediate family (NAGE)
 3. 12 hour employees
 - a. 6 days – Spouse, child or step child living in the household
 - b. 3 days – In state immediate family
 - c. 4 days – Out of state immediate family

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- C. Member's approval process for leave may be dependent upon their applicable CBA. For sworn, see Article 34, Civilian, Article 27, and those not covered by a CBA, City Rule 11.

417.3 Compensatory Leave

- A. **Accrual** - Compensatory time may be accrued instead of overtime, in the same manner as overtime governed by a collective bargaining agreement.
- B. **Use** - Accumulative compensatory time may be used in lieu of vacation leave.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Limited Duty	Order No: 418	
Rescinds: GO 418 Revised: 04/30/15	CFA 5th:	Revised: 09/07/16
Reference: City Rule 11-Light Duty Assignments		

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418	<u>Policy</u>
418.1	<u>Definitions</u>
418.2	<u>Procedures</u>

418 Policy

- A.** Limited duty positions will be assigned based on City policy, Agency needs, skills, knowledge, training and experience of the employee.
- B.** Limited duty positions are permitted for job-connected disabilities only. However, when prior approved by the Risk Management Office of the City Attorney's Office, an employee may be assigned to temporary limited duty tasks for non-duty related injuries when the limited duty assignment is specifically beneficial to the Agency (City).
- C.** No employee will be entitled to duty connected disability or consideration for limited duty where the injury was determined to have been the result of intentional self-inflection or where the disability or illness continues as a result of the employee's failure to cooperate with the medical advice from a licensed physician or corrective therapy.
- D.** City Policy in regards to Workman's Compensation disabilities governs light duty assignments. [City Rule 11](#)

418.1 Definitions

- A. Limited Duty** - Limited or light duty is a status given to a member by a licensed medical doctor requiring that member to work with certain conditions (no heavy lifting, no driving a vehicle, etc.).

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B. Physician - A licensed medical professional in the State of Florida.

418.2 Procedures

A. Physician Statement - A statement outlining the extent of the employee's limitations and the anticipated duration of the disability must be provided by the evaluating physician prior to any assignment of limited duty. The physician's evaluation will be reviewed by the Risk Management Office of the City Attorney's Office before the employee is assigned to limited duty. All medical information related to the injury/illness will remain confidential.

B. Physician Clears for Limited Duty - An employee must be cleared by the evaluating physician as capable of performing the limited duty. Limited duty tasks will be determined by the supervisor to whom the employee is assigned and the Risk Management Office of the City Attorney's Office, as specified by the attending physician, and will take into account the limitations of the employee. A limited duty shift may or may not coincide with an employee's normal duty shift.

C. Benefits - An employee working on limited duty status will maintain the same benefits, including accrual of sick leave, vacation leave and seniority that were provided for their assigned position prior to limited duty.

D. Assigned Vehicle Program - Officers assigned marked vehicles while on limited duty status **will not participate** in the assigned vehicle program. Officers who are on light duty may be required by the Support Services Commander to turn in their assigned vehicle until they are returned to full duty status.

1. Upon notification from the Support Services Commander or designee, the member will make arrangements to have the marked vehicle brought to the station.
2. The Support Services Commander or designee will ensure that the vehicle has been turned in by the light duty member.
3. The marked vehicle will stay at the police department or other designated location by the Support Services Commander or designee until official notification is given by the light duty member that the he/she has been returned to full duty. The member may not pick up the marked vehicle until authorized to do so by the Support Services Commander or designee.

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- E. Limited Duty Coordinator** - The Support Services Division Commander is responsible for the management of the limited duty process and will track all limited duty employees for temporary work assignments and return to work status.

- F. Limited Duty Schedule** - Limited duty hours shall be 8 hours per day during normal business hours/days. The Chief of Police shall reserve the right to modify the limited duty schedule in the best interest of the Agency. While on limited duty as a result of an on-duty injury, medical appointments shall be considered regular duty hours and cannot constitute overtime/comp time.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Meals and Breaks	Order No: 419	
Rescinds: GO 419 Revised: 08/09/10	CFA 5th:	Revised: 04/27/15
Reference: CBA FOP, NAGE White		

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419	<u>Policy</u>
419.1	<u>Procedures</u>

419 Policy

- A.** The commander or manager of each Division will establish procedures that allow members to have meal periods and break times, as required by collective bargaining contracts and by law.
- B.** A member's failure to take a meal break, where sufficient time is available, will not constitute grounds for a claim for overtime or compensatory time. Any member intending to claim overtime for lack of opportunity to take a meal break or other break time, will notify the on-duty commander or supervisor within two hours prior to the end of shift.
- C.** Members will not be permitted to use the combined meal period and break time to leave early or arrive late to their duty station. Members will be permitted to use the meal period only (30 minutes) for this purpose when necessary and approved by the supervisor. In any case, this will not be the normal practice in scheduling of work hours.

419.1 Procedures

A. Officers Responsible for Calls for Service

- 1.** Officers will monitor the radio during meal periods or breaks when responsible for handling calls for service. Officers will radio in to the Communications Center their meal break location. The officer will be prepared to respond to calls as directed.

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2. Officers may leave the City for meal periods or breaks, but only with the permission of their supervisor.
 3. During the hours of 0600 to 2200, no more than three marked patrol units and four uniformed officers will be allowed to take concurrent breaks at any one eating establishment with one of the three marked units being a Corporal or Sergeant. With supervisory approval, two marked units from each side of the City may be allowed to take concurrent breaks at any one eating establishment with no more than five uniformed officers between the hours of 2200 to 0600.
 4. Meal period and break times can be consolidated for a period of up to one hour, provided sufficient time is available for other officers' meal periods.
 5. Members working overtime or callback will be allowed an additional 30 minute break after each four hours worked, if manpower and operational requirements permit.
 6. Officers working special details will not be provided a meal break as part of any detail that last less than 6 hours in duration. Meal breaks during special details will be coordinated with the supervisor of the detail. The nature of the detail may require an officer to stay on location during the break time.
 7. Officers will clear their meal period with the shift supervisor and notify the Communications Center prior to taking the break. **Officer's enroute time will be considered as part of the one-hour meal break time.**
- B. Other Members** - Personnel not provided paid time for meal period and break time may take a combined meal period and break time of up to one hour, or not more than three separate breaks totaling one hour during a normal workday, provided operational requirements are met. A member's immediate supervisor or commander/manager may approve other arrangements in unusual circumstances.
- C. Meetings by Uniform Personnel in Marked Cars** - Gatherings of marked patrol cars or uniform officers, other than those required for operational needs, will be kept to a minimum. When officers find it necessary to meet to conduct police business, they should avoid attracting undue public attention by having the fewest number of units meet, minimizing the time together, and avoiding open areas.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Overtime Management	Order No: 420	
Rescinds: GO 420 Revised: 03/20/06	CFA 5th:	Revised: 04/30/15
Reference: Overtime Form		

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420	<u>Policy</u>
420.1	<u>Responsibilities</u>
420.2	<u>Procedures</u>
420.3	<u>Overtime Approval Guidelines</u>

420 Policy

- A.** It is the policy of the Agency to effectively and efficiently manage overtime and compensatory time granted to its members.
- B.** Agency managers will balance the mission of the Agency and the demands for services by our citizens with the conscientious expenditure of allocated overtime funding in our Agency budget.

420.1 Responsibilities OT Form

- A. Division Commander** - The Division Commander will be responsible for the overall accountability of overtime expenditures in their Division. Each Division has unique demands for overtime expenditures based on its assigned functions. The Division Commander will designate a manager, besides himself, to approve or disapprove overtime/ compensatory time to Division members. The Division Commander will provide a written directive, approved by the Chief of Police, to his designated manager, (Division/Section Lieutenant/ Commander/Manager and Division members), outlining job tasks where overtime/compensatory time may be authorized. Such directive will consider both operational necessity and budgeted allotments for overtime funding.
- B. Budget Officer** - The Budget Officer is responsible for the accountability, expenditure analysis and budgetary recommendations for overtime funding. The Budget Officer will submit a detailed report at the closure of each month

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to the Chief of Police and the Division Commanders on overtime expenditures, compensatory time accrual and budget analysis on overtime and expenditure forecasting.

- C. Designated Manager (Division/Section Lieutenant/Commander /Manager)** - It will be the Designated Manager's responsibility to follow the directive from the Division Commander and this general order in their consideration to approve or disapprove overtime/compensatory time.
- D. Line Supervisor** - It will be the line supervisor's responsibility to notify the Designated Manager of the need for approved overtime. The line supervisor will monitor and control all authorized overtime used by the member.
- E. Member** - It will be the responsibility of the member who is authorized the overtime too effectively and efficiently perform the job task with minimal accrual of overtime. The member will keep his immediate supervisor apprised of his time requirements to complete the task and any overtime necessary. Unless the job task is an operational emergency where there is an imminent threat to life/property, the member is subpoenaed to a judicial proceeding, or if the member is on call already, the member will obtain prior approval from the appropriate Designated Manager before he/she accrues the overtime.

420.2 Procedures

A. Scheduling

1. Each division will assess operational needs that are unique to that particular division.
2. Full time sworn personnel will be provided the initial opportunity to fulfill overtime obligations prior to allowing that time to be used by reserve or auxiliary officers.
3. Operational needs will dictate the type of scheduling each division will implement.
4. Creative, innovative and flexible scheduling is encouraged. Whenever possible, the member should be allowed to have input on their schedule based on their work requirements. Self-scheduling is conducive to reducing overtime, but should not detract from the manning necessary to perform operational functions. All flexible and self-scheduling will be pre-approved by the member's immediate supervisor before usage.

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5. All scheduling will meet the obligations of the current collective bargaining agreement.
6. All special events and details will be pre-scheduled in writing. Managers will adjust operating manning needs to accommodate these events whenever possible. Volunteer units will be utilized, where appropriate, at the special event.
7. Details requested from other City departments or outside organizations will be arranged and approved through the Uniform Services Division Commander, or designee, and handled in accordance with governing contracts.
8. Leave time and training school attendance will be pre-scheduled and closely scrutinized by managers. No pre-scheduled leave request or training school request will be authorized if the member's absence would result in pre-scheduled overtime to meet manning requirements. No overtime will be approved for non-mandatory training schools. (Exception: If the Division Commander determines the leave request or school request is necessary and pre-approved overtime is appropriate.)
9. Overtime will not be scheduled for committee meetings unless prior approval is granted by the Division Commander.
10. All units, section, division schedules will be in writing and approved by the Division Commander. Exception will be those divisions where self-scheduling and flexible scheduling is practical and the immediate supervisor and Division Manager monitor and authorize this type of scheduling.

420.3 Overtime Approval Guidelines

- A. Review** - Each pay period, the Division Commander will review the Budget Officer's report on authorized overtime/compensatory time for compliance with related directives.
- B. Overtime Forfeited** - Failure to adhere to the overtime directives may result in the forfeiture of overtime hours accumulated.
- C. Corrective Action** - Managers and supervisors who fail to adhere to the overtime directives will be subject to appropriate corrective action.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Retirement and Separation Procedures	Order No: GO 421	
Rescinds: GO 421 Revised: 08/13/14	CFA 5th:	Revised: 07/08/15
Reference:		

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421.4	<u>Wall of Honor Recognition</u>
421.5	<u>Notification Requirements</u>
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421.7	<u>Budget/Payroll Procedures</u>
421.8	<u>Material Management Procedures</u>
421.9	<u>Formal Retirement Ceremonies</u>
421.10	<u>Purchasing Equipment</u>

421 Policy - These policies govern retirement and separation procedures for both sworn and civilian employees. They include notification of retirement and/or separation date, computation of unused personal leave or sick leave and compensatory time, the Agency's exit process, (to include completion of the Police Department Out Processing Form); request for Agency service firearm, identification card, service plaque, retirement badge, and wall of honor recognition.

421.1 Definitions

- A. Sworn officer/corrections certified officer retirement** - Per Chapter 185 of Florida State Statutes, a sworn or corrections-certified member's separation from City employment as an officer with immediate eligibility for receipt of benefits under the plan.
- B. Civilian retirement** - Non-sworn member's separation from the agency with immediate eligibility for receipt of retirement benefits.

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421.2 Service Recognition for Sworn Members - Acknowledging the value and sentiment placed upon such personal-issued equipment, the Agency intends to recognize and reward members who have provided valuable service and/or become disabled in the line of duty. The award of such articles of equipment is available to members in good standing who depart service under honorable conditions.

- A. Line-Of-Duty Disability** - The number of years of service will still apply. However, the Chief of Police, under extraordinary circumstances, has the discretion to approve the awarding of a breast badge, service plaque, identification card and wallet, and/or service weapon to any officer.
- B. Non-Line-Of-Duty Disability** - Officers retiring under non-line-of-duty disability conditions will be entitled to the same considerations as those retiring without disability with one exception. At the discretion of the Chief of Police considering the criteria listed in [Chapter 790 FSS](#), the service firearm may be withheld from those members who are retiring with a psychological disability.
- C. Retiring with 20 or more years of service** - Members retiring with 20 or more years of service will be awarded a "retired" wallet badge, "retired" identification card and wallet, service weapon, and service plaque. The officer may also request his/her I.D. number be retired and receive one set of uniforms.
- D. Separating with 10-19 Years of Service** - Members separating from the Agency with 10-19 years of service will be awarded a service plaque.
- E. Separating from the Agency with less than 10 years of Service** - Members leaving the Agency with less than 10 years of service are not entitled to any articles of personal-issued equipment.
- F. The Law Enforcement Safety Act of 2004 (aka HR 218** - This legislation provides an exemption of qualified retired law enforcement officers from State law prohibiting the carry of concealed firearms.

1. Legislative Requirements for retiree:

- a.** Retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;
- b.** Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

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- c. Before retirement, was regularly employed as a law enforcement officer for an aggregate of 10 years or more; or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;
- d. Has a non-forfeitable right to benefits under the retirement plan of the agency;
- e. During the most recent 12-month period, has met, at the expense of the individual, the State's standards for training and qualification for active law enforcement officers to carry firearms (Although the legislature indicates that the individual is responsible for the expense of the training and qualification, the Agency will provide this service at no charge.);
- f. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- g. Is not prohibited by Federal law from receiving a firearm

2. Qualification Standards

- a. The course will be administered by a CJSTC certified firearms instructor on either a CJSTC certified training school range or Agency range.
- b. Applicable Agency policies and safety standards will be followed.
- c. The Training & Recruiting Section will be responsible for maintaining documentation on qualification of retirees, including names of instructors leading qualification.
- d. Retirees who pass the course of fire will be issued a Firearms Proficiency Verification Card.

421.3 Service Recognition for Civilian Members - The Agency will acknowledge civilian members who are retiring from the agency as outlined below:

- A. Line-Of-Duty Disability** - At the discretion of the Chief of Police, they may be given a Service Plaque.
- B. Retiring with 20 or more years of service** - A civilian member retiring with 20 or more years of service will be awarded a Service Plaque and their picture added to the Wall of Honor upon request.

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C. Separating with 19 or less Years of Service - Civilian members separating from the Agency with 19 or less years of service are not entitled to retain any issued equipment.

421.4 Wall of Honor Recognition - All personnel, both civilian and sworn, serving 20 years or more with the agency will have their name considered for placement on a Wall of Honor plaque. The Chief of Police will determine the appropriateness of placement on the plaque based upon the individual's service and circumstances of separation. These plaques are displayed in the headquarters building of the police department.

421.5 Authorized Use of Commemorative Items - According to [FSS 112.193\(4\)](#), "each uniform, badge, service handgun, and identification card presented under this section is to commemorate prior service and must be used only in such manner as the employer prescribes by rule." These items are given to the retiring member in honor of prior service. Selling these items or using them contrary to local, state, or federal law is strictly prohibited.

421.6 Notification Requirements

- A.** Members will complete a [Retirement Request Form](#) and submit it to the Chief of Police through the appropriate chain of command. This must be submitted at least 12 weeks prior to the retirement date in order to allow sufficient time for logistical arrangements to be made.
- B.** Sworn members will notify the Police Pension Board in writing of their intention to retire at least twelve weeks prior to retirement date, except in cases of medical retirement. If applicable, the DROP option may also be exercised.
- C.** If a medical retirement, line of duty or non-line of duty, is granted by the Police Pension Board, the sworn retiree should immediately forward, in writing, notification of retirement as described in this directive through his/her chain of command to the Chief of Police.
- D.** All members not participating in the DROP option will complete an Agency [Out Processing Form](#). Members will meet with the supervisors listed on the form to turn in equipment and ensure all obligations have been met.
- E.** Requests to use vacation or sick leave as Terminal Leave will be addressed on a case by case basis and are subject to approval by the Chief of Police and the City Manager. Sick leave will be used in accordance with union contract language.

421.7 Executive Division - The Chief's staff or designee will:

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- A. Forward the original Retirement Request Form to the Human Resources Department, once the Chief has endorsed it.
- B. Forward a copy of the approved Retirement Request Form to the Lead Firearms Instructor in situations which require him/her to issue a retirement firearm.

421.8 Budget/Payroll Unit Procedures - Budget/Payroll Unit personnel will compute and submit the employee's unused personal leave or sick leave and compensatory time in accordance with the current City Policy and Procedure or the current collective bargaining agreement. Payment for this unused time will be included in the final paycheck issued to the retiring employee. Final paychecks are not handled through direct deposit and must be retrieved by the employee from the Human Resources Department.

421.9 Material Management Section - Unit personnel will forward the sworn officer's service firearm to the Lead Firearms Instructor who will clean and inspect it to ensure it is in serviceable condition. Unit personnel shall requisition all equipment which has been approved through the Chief of Police for presentation to the member. Once these items are prepared for presentation, Unit personnel will notify the Support Services Division Commander.

421.10 Purchasing Equipment - The purchase of other issued items and equipment at current replacement cost for an officer may be approved by the Chief of Police. Other issued items that cannot be reissued and would otherwise be destroyed may be awarded to a retiring employee with approval of the Chief of Police.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Employee Separation Process	Order No: 422	
Rescinds: GO 422 Revision: 08/12/11	CFA 5th:	Revised: 04/30/15
Reference: <Out Processing Form>		

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422	Policy
422.1	Procedures
422.2	Exit Interview
422.3	Voluntary Separation or Retirement
422.4	Termination

422 Policy

Unnecessary employee turnover is costly and disruptive to the Agency's ability to meet its mission. Therefore, since employees are an agency's most valuable resources, it is the Agency's policy to conduct exit interviews to obtain candid information from terminating employees regarding their experiences with the Agency and to use the feedback to improve employee relations practices.

422.1 Procedures

- A.** Exit interviews will be conducted or attempted for all employees who voluntarily separate (including retirement) from Agency employment. Employees will be asked for an exit interview to identify the reasons for the separation and to utilize the feedback to improve selection, training, and employee relations practices, and ultimately, retention.
- B.** The interview should convey the Agency's genuine concern about the employee's well-being and an openness to understand both the positive and negatives of that person's experience with the Agency.
- C.** The interview should provide an opportunity to correct any misconceptions that the employee may have regarding the agency, as an employee who leaves with a grudge is a potential liability to the Agency's public image.
- D.** Exit interviews may be conducted preferably in person, but can be conducted by other means should the situation dictate.

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- E. Exit interviews will be conducted in private and, when possible, at the convenience of the employee.
- F. Whenever a member separates from employment, regardless of voluntary or involuntary, their supervisor will notify the City IT Department. Once notified, the IT department will ensure that the separating member's email and computer accounts are copied and archived.

422.2 Exit Interview

- A. Each supervisor will offer an employee voluntarily leaving the Agency an opportunity for an exit interview. The employee may decline an interview. If an interview is declined, a notation will be made to the file stating so.
- B. Exit interviews will be conducted by the Chief of Police, or designee.
- C. The Exit Interview Questionnaire, as part of the [Out Processing Form](#), will be used to record the interview.
- D. The interviewer should encourage candor by explaining the importance of identifying accurate reasons for separation and assuring the employee that a candid response will not affect future employment references or opportunities.
- E. The Exit Interview Questionnaire provides guidelines for the interviewer to ask open ended questions which elicit as much information as possible, as opposed to asking a series of "yes" or "no" questions.
- F. The interviewer may also elicit the employee's concerns, suggestions, and comments and correct any misunderstanding the employee may have regarding agency policies or personnel.
- G. The interviewer will identify a principal reason for separation.
- H. The interviewer will forward the completed Out Processing Form to the Executive Assistant so that arrangements can be made for the release of the employee's final paycheck.
- I. Employee separation is recognized as either (1) voluntary separation (including retirement) or (2) termination.

422.3 Voluntary Separation or Retirement

- A. Letter of resignation is to be submitted to the Chief of Police through the employee's respective chain of command.

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- B. Chief of Police, or designee, will endorse it and forward to the Executive Assistant for subsequent processing.
- C. The [<Out Processing Form>](#) will be made available to the employee.
- D. Employee will make arrangements through their immediate supervisor to complete the process in a timely fashion.
- E. The employee is to personally make contact with each Section or Unit representative noted on the form to obtain a signature verifying City/Department property/business has been accounted for. Any outstanding issues are to be resolved before the employee's last date of employment.
- F. The completed form is to be given to the Executive Assistant or designee at the time of the Exit Interview. A copy will be afforded to the employee for their record.

422.4 Termination - When an employee is terminated, the following will occur:

- A. Termination paperwork will be sent to the Chief of Police, or designee, for review and endorsement.
- B. As much notice as possible will need to be given to those in this process so that a proper inventory of items can be accomplished.
- C. The Chief of Police will forward the documentation to the Executive Assistant, or designee, for subsequent processing.
- D. An appointment with the Materials Management Supervisor will be arranged so that all Agency/City issued property and/or equipment can be turned in and accounted for. All "out processing" will be done through this Unit. The Supervisor, or designee, is to contact the respective Section/Unit reflected on the Out Processing Form to ensure there is no outstanding business. They are to sign and date the different sections of the form indicating the person they spoke with.
- E. Any outstanding business/items are to be brought to the attention of the Executive Assistant, or designee.
- F. Once the form has been completed and signed off in its entirety, a member of the Human Resources Department will be notified so that arrangements may be made to release the employee's final paycheck.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Grievance Process	Order No: 423	
Rescinds: GO423 Revised: 06/03/07	CFA 5th: 6.01, 6.02, 6.03	Revised: 04/30/15
Reference: CBA F.O.P. , N.A.G.E. , City Rule 15, Grievance Form, Non-Grievance Form		

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423.3	<u>City Grievance Procedures</u>
423.4	<u>General Administrative Procedures for all Grievances</u>
423.5	<u>City Employee Non-Grievance Procedures</u>

423 Policy

- A.** The Agency requires a complete understanding of the policies, procedures, rules and regulations by all members to provide effective and efficient service to the public.
- B.** Due to the voluminous quantity of these procedures, there may be occasions when differences arise regarding the spirit, intent or interpretation of particular directives or actions of the Agency. The grievance process provides a redress venue to all members who believe the Agency has been unfair or unjust in treating them.

423.1 F.O.P. Grievance Procedures - Members of the Fraternal Order of Police Union will follow the grievance process according to their Collective Bargaining Agreement. **<FOP Article 29>**

423.2 NAGE Grievance Procedures - Members of the National Association of Government Employees Union will follow the grievance process according to their Collective Bargaining Agreement. **<NAGE Article 8>**

423.3 City Grievance Procedures - Members of the Agency not represented by a collective bargaining unit will follow the grievance process according to **<City Rule 15>**.

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423.4 General Procedures for Response to All Grievances

- A. Coordination** - Collective Bargaining Units grievance process or City Grievance process will be coordinated through the Human Resources Director, or designee. A grievance is a dispute concerning the interpretation or application of the terms of the collective bargaining agreement under which the employee is a member.
- B. FOP Grievance Process** - When a member believes that he/she has a grievance, every effort will be made to resolve the matter informally at the first two levels of supervision. A formal grievance may be filed only after there is no satisfactory resolution to the grievance at the first two levels.
 - 1. Informal Grievance Process** - A bargaining unit member who believes that he/she has a grievance will complete the Grievance Form and forward it to his/her FOP representative. The representative should discuss the matter with the affected member's immediate supervisor as soon as possible after becoming aware of the dispute. This process may take no longer than fourteen days from the time the member has submitted the form. If at the end of the fourteen day limit no satisfactory resolution has been reached, the FOP representative will forward the Grievance Form to the respective Division Commander who will follow the procedures set forth for the Formal Grievance Process.
 - 2. Formal Grievance Process** - This process is pursued if the affected member chooses to skip the informal process or there has been no successful resolution reached during the informal process. The FOP representative will submit the Grievance Form to the respective Division Commander within seven days. The Division Commander will schedule a meeting with grievant and/or representative and the Chief of Police. Within seven days after the hearing, the Chief will render a written decision concerning the grievance. If the affected member is not satisfied or no decision was made within the allotted time frame, the grievant will proceed to the next step of the process.
 - a.** The grievant will submit the Grievance Form and all written documentation concerning the grievance to the Human Resources Director within seven days of the date the decision was issued in the previous step.
 - b.** The Human Resources Director or designee will schedule a meeting within seven dates of the receipt of the grievance documents.

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- c. The Human Resources Director will make a decision within seven days after the scheduled meeting with the grievant and/or representative.
- d. If the grievant is not satisfied with the response, the FOP representative may invoke arbitration seven days after the date of the meeting with the Human Resources Director or designee.
- e. The member may withdraw the grievance at any time during this process.

3. Arbitration - The City and the FOP will, within seven days after receipt by the Human Resources Director of the FOP's notice of intent to arbitrate, submit a request to the Federal Mediation and Conciliation Service (FMCS) for a panel of five professional arbitrators who reside in the State of Florida.

- a. Representatives of the City and the FOP will meet within seven days after receipt of the list of arbitrators and each will alternately strike, one at a time, two names from the list.
- b. The grieving party will make the first strike from the list.
- c. The person whose name remains on the list will be notified jointly by the City and the FOP.
- d. The arbitrator will render a binding decision after hearing both cases.

C. NAGE Grievance Process - When a civilian member believes that he/she has a grievance, they will submit a Step I grievance in writing to the employee's immediate supervisor on the standard grievance form and will be signed by the grievant. The Step I grievance will concisely state the facts relied on by the grievant, the article(s), and/or section(s) of the Agreement alleged to have been violated, and the relief requested by the grievant.

- 1. Within seven calendar days after the receipt of the Step I grievance, the supervisor or designee will meet with the grievant. The grievant has the right to be represented by the Association, and, will render a written decision concerning the grievance. If the grievant is not satisfied with the Step I decision or if no decision is issued within the allotted time, the grievant may invoke Step II of the grievance procedure.
- 2. Within seven calendar days after the date that the Step I decision is issued or due, the grievant may invoke Step II of the procedure by submitting the Step I decision to the Department Head or designee along with a written statement of his or her reason for dissatisfaction with the

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decision.

3. Within seven calendar days after receipt of the Step II grievance, the Department Head or designee will schedule a hearing concerning the grievance. The Department Head or designee will render a written decision within seven calendar days after the hearing concerning the grievance. If the grievant is not satisfied with the Step II decision or if no decision is issued within the allotted time, the grievant may invoke Step III of the grievance procedure.
4. Within seven calendar days of the date the Step II decision is issued or is due, the grievant may invoke Step III by submitting the grievance and all written decisions concerning it to the Human Resources Director or designee who will hear the grievance on behalf of the City Manager.
5. Within seven calendar days after receipt of the grievance documents, the Human Resources Director or designee will conduct a hearing concerning the grievance. The grievant may present evidence in support of the grievance at the Step III hearing.
 - a. Within seven calendar days after the hearing, unless extended by mutual agreement, the Human Resources Director or designee will render a written decision.
 - b. If the employee is unsatisfied with the Human Resources Director's or designee Step III decision or if no decision is issued within the allotted time, the grievant may request the Association to invoke Step IV, the arbitration step of the procedure.
6. Within seven calendar days of the date the Step III decision is issued or is due the Association or grievant may invoke arbitration. This is done by giving the City timely written notice of its intent to arbitrate the grievance in question. Such notice will be served on the Human Resources Director by certified mail, return receipt requested.
7. After receiving the Association's Notice of Arbitration, the Human Resources Director will submit a request to the Federal Mediation and Conciliation Service (F.M.C.S.) within seven calendar days to provide a panel of five professional arbitrators.
 - a. The arbitrators must reside in the State of Florida. Representatives of the City and Association will meet within seven calendar days after receipts of the list of arbitrators.
 - b. Each will alternately strike, one at a time, two names from the list. The

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first strike will be made by the grieving party.

- c. The person whose name remains on the list will be the arbitrator, and the parties will jointly notify the arbitrator of his selection.

D. Grievance Form - All written grievances will be recorded on the [<Grievance Form>](#). The Grievance Form will contain the following information:

1. Acknowledgement the receipt of the grievance by noting the time, date and person receiving the grievance.
2. Affirming or denying the allegations in the grievance in writing on the Grievance Form.
3. Identify the remedy or adjustment, if any, to be made to resolve the grievance.

E. Records to Human Resources Director - The Human Resources Director will be forwarded a copy of the Grievance Form at the first step, and every subsequent step, by the responding level of supervision. The Human Resources Director, or designee, will monitor and coordinate the process according to the governing collective bargaining agreement or Rule 15 City Personnel Rules and Regulations. The Human Resources Director, or designee, is responsible for maintenance, control and tracking all written grievances.

F. Appeal Process - The written grievance will be appealed as provided by the governing collective bargaining agreement or Rule 15 City Personnel Rules and Regulations.

423.5 City Employee Non-Grievance Procedure - This process is provided for employees with concerns/comments that do not rise to the level of a formal grievance related to a dispute with the provisions of a collective bargaining agreement or City Rules and Regulations. See [<Employee Non- Grievance Procedure Form>](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Medical Treatment for Bleeding Control	Order No: 424	
Rescinds: GO424 Revised: 07/05/17	CFA 5th:	Revised Date: 11/17/17
Reference:		

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424.1	<u>Policy</u>
424.2	<u>Definitions</u>
424.3	<u>Procedure</u>

424 Purpose

To establish guidelines for use of Law Enforcement Self Aid-Buddy Aid (LESABA) when officers or civilians are injured by penetrating objects and suffer from uncontrolled hemorrhage.

424.1 Policy

It is the policy of the Agency to utilize Law Enforcement Self Aid-Buddy Aid to provide immediate care that may maximize survival of a person with an uncontrolled hemorrhage.

424.2 Definitions

- A. Chest Seal** - Impermeable barrier used to treat tension pneumothorax.
- B. First Responder** - Officer who is likely to be among the first to arrive and assist at the scene of an emergency.
- C. Law Enforcement Self Aid-Buddy Aid (LESABA)** - Training curriculum, which is part of the Bleeding Control (B-CON) course. Training must include hemorrhage control techniques, including use of tourniquets, pressure dressings, chest seals and hemostatic agents.
- D. Pressure Dressings** - Commercially available bandages, improvised bandages or other compression dressings improvised with a large amount of

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gauze and an elastic bandage that is wrapped around the wounded limb which may be used.

E. THREAT - Acronym:

1. **T** - Threat suppression
2. **H** - Hemorrhage control
3. **RE** - Rapid Extraction to safety
4. **A** - Assessment by medical providers
5. **T** - Transport to definitive care

F. Topical Hemostatic Agents - Products that arrest bleeding or hemorrhage. Products such as CELOX™ Rapid and similar hemostatic gauze or dressing approved by the Lead Medical Instructor is the only authorized hemostatic agent approved by the Agency.

G. Tourniquet - Any limb constrictive device, whether improvised or commercially manufactured, used in an attempt to stop extremity bleeding.

424.3 Procedure

A. Training - All officers will receive approved training in LESABA through an Agency approved bleeding control course prior to carrying a tourniquet, chest seal, or topical hemostatic agent. Refresher training is mandated bi-annually and must include hemorrhage control techniques, including use of tourniquets, pressure dressings, hemostatic agents and chest seals.

B. Assessment - The wounded person is initially assessed and determined to have severe extremity bleeding controllable with the equipment or resources immediately at hand. Indications for tourniquet use include all of the following:

1. Penetrating trauma from firearms or stabbings.
2. Officers working in tactical environments who may benefit from a self-applied tourniquet for "care under fire".
3. Terrorist incidents with penetrating and/or blast injury to limbs.

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4. Incidents where there are limited resources and delayed, often unconventional, transport to definitive care.
 5. Industrial accidents where limbs are trapped or shredded by industrial machinery.
 6. Failure to stop bleeding with pressure dressings.
 7. Injury does not allow control of bleeding with pressure dressings.
 8. Extreme life-threatening hemorrhage, or limb amputation/mangled limb with multiple bleeding points, to allow immediate management of airway and breathing problems.
 9. Life threatening limb hemorrhage not controlled by simple methods.
 10. Point of significant hemorrhage from a limb is not peripherally accessible due to entrapments (unable to provide direct pressure).
 11. Major incident or multiple casualties with extremity hemorrhage and lack of resources to maintain simple methods of hemorrhage control.
- C. Removal of Tourniquet** - The tourniquet should be left in place once initially applied. Advanced medically trained personnel (e.g. Medical doctor, registered nurse) will determine the need for removal.
- D. Transport and Handover** - Tourniquet usage must be verbally communicated on transfer of care to attending medical staff to minimize the likelihood that a tourniquet will be overlooked by a subsequent care provider. Time of application must be recorded either on the tourniquet, via notification to dispatch or physically written on the skin of the victim. Any amputated limb should ideally be transported with the wounded person to the hospital.
- E. Equipment to Carry** - Every first responder shall be trained in LESABA and shall have one tactical tourniquet, emergency trauma dressing, one rolled gauze and chest seal. First responders are required to wear the TACMED Uniformed Medical Kit - 2nd Generation or other approved medical kit and issued medical supplies on or about their person. Non-uniform officers shall have these items readily available. The approved tourniquet is a Combat Application Tourniquet (CAT). Any other equipment carried for a similar purpose must be approved prior to use by the Lead Medical Instructor through the Support Services Commander on an Equipment Authorization Form.

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F. Field-Expedient Tourniquets and Dressings - In exigent circumstances, if a commercially made tourniquet or dressing is not available, other improvised tourniquets or field dressings that cause sufficient pressure or absorption to stop bleeding in an acceptable alternative, if necessary, to prevent loss of life. Alternative field dressing and should be as sterile as possible.

G. Reporting - If any tourniquet, chest seal, or hemostatic agent is utilized, whether successful or not, and offense report shall be generated documenting the circumstances of use and the actions taken. The reports shall be reviewed by the Training Section to determine future training needs.

H. Periodic Review - The Lead Medical Instructor will assess tourniquet, chest seal and hemostatic agent use periodically and submit an evaluation of use and recommendations for training to the Support Services Division Commander thru the Training Unit.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Emergency Opioid Antagonist Program	Order No: 425	
Rescinds: GO425 Revised: 11/17/17	CFA 5th: 14.14	Revised Date: 08/29/18
Reference: FSS 381.887 (Emergency Treatment and Recovery Act)		

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424 Purpose

To establish guidelines and regulations governing the utilization of Nasal Naloxone by trained personnel within the Palm Bay Police Department. The objective is to treat and reduce injuries and fatalities due to opioid-involved overdoses or exposures to officers.

424.1 Policy

It is the policy of the Agency to take proactive steps to protect undercover agents or other members of the Agency who could potentially be exposed to opioids while working undercover or packaging evidence. This policy covers agency employees only absent exigent circumstances and supervisor approval.

424.2 Definitions

- A. Emergency Opioid Antagonist** - Means naloxone hydrochloride or any similarly acting drug that blocks the effects of opioids administered from outside the body and that is approved by the United States Food and Drug Administration for the treatment of an opioid overdose.
- B. Naloxone (commonly marketed as Narcan)** - Is a medicine that reverses an opioid overdose by blocking opioids in the brain for 30 to 90 minutes. Opioids

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that can be affected by naloxone administration include but are not limited to the following: heroin, oxycodone, methadone, fentanyl, morphine, codeine, opium, hydrocodone, and name-brand drugs such as Percocet, Vicodin and Demerol.

- C. Agent** - Any person assigned to the Special Investigations Unit whose responsibilities and job function require them to work in an undercover capacity.
- D. Administer or Administration** - Means to introduce an emergency opioid antagonist into the body of a person.
- F. Narcan liaison** - Palm Bay Police Department Special Operations Division Lieutenant or Special Investigations Unit Sergeant.
- G. Recovery Position** - Placing patient lateral on the left or right side position.

424.3 General

- A.** Per Florida State Statute 381.887, emergency responders including law enforcement officers are authorized to possess, store, and administer emergency opioid antagonists.
- B.** Due to their effects on the region of the human brain which regulates breathing, opioids can cause respiratory depression and death.
 - 1.** An opioid overdose can be identified by a combination of three signs and symptoms referred to as the "Opioid Overdose Triad" which includes the following:
 - a.** Pinpoint pupils.
 - b.** Unconsciousness.
 - c.** Respiratory depression.
 - 2.** Members authorized to administer NARCAN Nasal Spray shall determine the need for treatment by evaluating the patient in accordance with agency required training.
 - 3.** Members shall immediately summon emergency medical personnel to any scene where it is suspected an individual is in a potential overdose state.

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- C. NARCAN Nasal Spray shall be made available in the following primary locations:
 - 1. Special Investigations Unit Office in a pelican case.
 - 2. Evidence Packing Area.
 - 3. Other locations as deemed necessary by the Chief of Police.
- D. NARCAN Nasal Spray shall be stored in a manner consistent with proper storage guidelines for temperature and sunlight exposure.
- E. Note: NARCAN Nasal Spray shall only be deployed by authorized and trained personnel in appropriate medical circumstances in accordance with Florida Statute, agency policy and training guidelines and where it is believed that such action is required as a life-saving or potentially life-saving measure.
- F. Lost, stolen, damaged or expired NARCAN Nasal Spray shall be reported immediately to the Special Operations Commander or designee via memorandum or email.
- G. An annual inspection, at minimum, will be conducted as assigned by the Special Operations Commander, or designee, to ensure expiration dates have not been exceeded and the Agency has an adequate supply of NARCAN Nasal Spray available for use.
 - The member assigned to conduct the inspection shall document said inspection on the SIU Sergeant's Inspection form ensuring the expiration dates and serial number (if applicable) are noted.

424.4 Training

- A. All personnel will receive initial training in the use and administration of NARCAN Nasal Spray to include the following topics:
 - 1. Overview of FSS 381.887.
 - 2. Patient assessment to include signs and symptoms of suspected overdose.
 - 3. Appropriate delivery of NARCAN Nasal Spray.
 - 4. Post-delivery protocols.

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5. Appropriate follow-up and reporting.

B. Upon completion, officers' NARCAN initial training will be recorded in their training files in DMS.

424.5 Member Responsibilities

A. The following outlines an officer's responsibilities and deployment protocol for use of NARCAN Nasal Spray:

1. The officer will request emergency medical personnel respond.
2. The officer should use universal precautions and protections from blood borne pathogens and communicable diseases.
3. The officer should identify and assess the victim for responsiveness, pulse and status of breathing.
 - a. If no pulse, initiate CPR and AED.
 - b. If breathing with no signs of overt trauma, place in the recovery position.
4. The officer shall determine the need for treatment with NARCAN Nasal Spray by evaluating the patient.
 - a. If the individual is unresponsive with decreased or absent respirations or pulse, or the officer identifies other indicators of opioid overdose, the officer should administer NARCAN Nasal Spray in accordance with training guidelines.
 - The officer should maintain awareness as individuals administered NARCAN Nasal Spray frequently aspirate (i.e. in jeopardy of choking).
 - b. The officer shall notify dispatch they are administering NARCAN Nasal Spray so the time may be appropriately documented.
5. The officer shall use proper tactics when administering NARCAN Nasal Spray as individuals who are revived from an opioid overdose frequently regain consciousness in an agitated or combative state and may exhibit symptoms associated with withdrawal.

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- a. If breathing and pulse recover, the officer shall place the patient in the recovery position.
 - b. Note: The effects of NARCAN Nasal Spray last for a limited period of time and the individual may experience another opiate overdose when the effects of the NARCAN Nasal Spray dissipate.
6. The officer shall continue to monitor the individual's breathing and pulse.
 - a. If the breathing increases and there is no evident trauma, place the patient in the recovery position.
 - b. If at any time the individual's breathing ceases, the officer shall initiate CPR.
7. The officer shall keep emergency medical personnel advised of the patient's status to the extent possible via dispatch.
8. The officer shall remain with the patient until rescue personnel arrive on scene and assume control of the patient.
9. The officer shall inform rescue personnel of all circumstances surrounding the support provided to the patient. Every effort should be made to encourage that person to be transported to the hospital for additional care.
10. Once deployed, the used NARCAN Nasal Spray container will be given to on-scene rescue personnel for appropriate biohazard disposal or place into a biohazard bag and disposed of according to Agency policy.
11. The officer shall document the use of the NARCAN Nasal Spray by completing an Employee Notice of Injury packet detailing the nature of the medical assist on the affected employee.

424.6 Administration of NARCAN Nasal Spray

The following steps shall be followed when administering NARCAN Nasal Spray:

1. Put on appropriate PPE (gloves, mask, etc.).
2. Retrieve the NARCAN Nasal Spray.
3. Lay the patient on his/her back and tilt the head back while providing support under the neck with one hand.

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4. Peel back the package to remove the device.
5. Hold NARCAN Nasal Spray with your thumb on the bottom of the plunger and your first and middle fingers on either side of the nozzle.
6. Place the tip of the nozzle in one nostril until your fingers touch the bottom of the patient's nose.
7. Press the plunger firmly to release the dose into the victim's nose.
8. Remove the spray device from the victim's nose.

424.7 Documentation

Any time NARCAN Nasal Spray is administered, the officer shall complete an Employee Notice of Injury packet detailing the nature of the medical assist to include the following information:

1. Date, time and location of the suspected overdose.
2. Reason(s) the officer suspected an opiate overdose (i.e. the subject looked blue, the subject would not wake, the subject stopped breathing, no response to sternal rub or painful stimuli, pinpoint pupils, etc.)
3. Suspected drug(s) involved (i.e. Heroin, Fentanyl, Carfentanyl, etc.)
4. The degree to which the person who was administered NARCAN Nasal Spray experienced any symptoms of withdrawal (i.e. none, mild, severe, etc.)
5. Whether the individual who was administered NARCAN Nasal Spray exhibited any aggression subsequent to administration.
6. Number of vials of NARCAN Nasal Spray administered.
7. Approximate time it took for NARCAN Nasal Spray to impact the patient, if any.
8. Any other information relevant to the investigation.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Background Investigations	OM No: A404	
Rescinds: OMA 404 Revised: 03/02/16	CFA 5th:	Revised: 02/23/17
Reference: Selection Process GO 404, 943.13 FSS, Americans with Disabilities Act 1990, Background Package,		

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404 Purpose

- A.** The purpose of this manual is to establish guidelines for collecting, verifying, and presenting information concerning an applicant's suitability for employment.
- B.** This standard operating procedure will encompass any employee who is assigned to work on a background investigation. Individuals who conduct background investigations will be trained in the collection of required

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information. Documentation of this training will become a part of the individual's Agency training record.

404.1 Procedures

A. Training and Recruiting Section Responsibility - The Training and Recruiting Section shall initiate control and carefully document each background investigation for the Agency. This will include all full time and part-time certified / auxiliary positions; Code Compliance members, civilian positions, both full time and part-time; VCOP Program members; Interns; and any other identified volunteer whose capacity places them under the umbrella of the Palm Bay Police Department. Personnel having access to the Police Department will also be screened. Clearances will also be conducted on all custodial personnel having access to Agency facilities.

1. The background investigation will provide those facts needed for the Agency to select the most suitable candidates for any vacant position.

B. Applicant Processing - The Agency shall maintain the right to process police officer applicants directly or use the Brevard Police Testing Center.

C. Background Investigation Objective - As part of the selection process, the background investigation is one of the most important tools for evaluating the qualifications of law enforcement personnel. A thorough background investigation should yield job-relevant information concerning an individual's past behavior, experience, education, performance and other critical factors important in the overall selection process.

D. Commission Requirements - Under the provisions of Section 943.13 (7) FSS, a certified / auxiliary officer shall have good moral character as determined by a background investigation under procedures established by the Commission. The employer, pursuant to Section 943.133 FSS, is fully responsible for the collection, verification, and maintenance of documentation establishing that an applicant for employment complies with these requirements. The Commission is required by Statute to adopt rules that establish procedures for an employing agency to conduct a background investigation.

E. In 11B-27.0022, F.A.C., the Commission has established the minimum procedures that an employing agency must use while conducting a background investigation.

F. Evaluation Mandates - The evaluation of background information is difficult and must be done on an individual basis. Steps must be defined to increase

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the efficiency and effectiveness of the background investigation as a selection instrument. Certain areas of investigation are prohibited by law. Provisions of Title VII of the Civil Rights Act of 1964, as amended, prohibit the use of employment requirements or inquiries into areas that have an adverse impact on the employment opportunities of protected classes, and have not been shown to be job-related.

- G. The American with Disabilities Act of 1990 (ADA)** - ADA is a federal anti-discrimination law that provides protection to disabled individuals who are able to “perform the essential functions of a job.” The agency investigator conducting the background investigation on an applicant should be fully informed of the requirements of the Act to not violate the ADA. Only areas that can be justified as “relevant” to the applicant’s qualifications should be investigated.

404.2 Testing

A. Police Officer Positions

1. Upon successfully completing the Ergometrics test developed by Frontline National Testing System administered by the Human Resources Department, police officer applicants shall be placed on an Eligibility List maintained by Human Resources. The applicant shall remain on the Eligibility List until which time police officer position vacancies require the Background Investigator to begin their background investigation process.
- B. All Other Positions** - Selection criteria, including: job postings, applicable testing, and City/Department interviews, are to take place for the respective job classification(s) prior to the receipt of any application(s) being received in furtherance of conducting a background investigation.

404.3 Pre-Screener Questionnaire

- A. Review Application** - The Application is reviewed to ensure there are no responses that will violate Agency Employment Standards for Certified / Auxiliary Personnel or Civilian Personnel. Immediate noted Employment Standard violations will be cause for disqualification from the process. Written communication concerning it will be documented by the Background Investigator and sent to the Training Section Commander or Lieutenant for endorsement.
1. Subsequently, communication will be sent to the Human Resources Department requesting closure of the application and noting the Section of the Employment Standards containing the violation.

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2. The Human Resources Department will be responsible for sending a notification of application closure to the affected applicant.

B. Questions on Application - Responses that may appear questionable will be immediately investigated. The Background Investigator is to contact the applicant to obtain specific details concerning the issue.

1. All additional information and documentation gained will be made a part of the applicant's file.
2. Any adverse information obtained at this point will be referred to the Training Section Lieutenant for approval to either continue or close the application.
3. If a decision is made to close the file, the same procedure will be followed as noted above.

404.4 Background Investigations Applicant Tracking Sheet - Inquiries into the following areas will be done on each individual. A Background Investigations Applicant Tracking Sheet will be utilized documenting the completion of the searches, the date, and indication of possible records found. A copy of each search will be maintained in the background file:

- A.** FCICII/NCIC
- B.** Driver's License Check
- C.** Driver and Vehicle Information Database (DAVID)
- D.** Brevard County Sheriff's Office CALIBER File Search
- E.** Sexual Offender Name File
- F.** FDLE Wants and Warrants Search
- G.** Brevard County Clerk of the Court
- H.** County Clerk's Offices of areas applicant has resided and/or been employed
 - a.** CCIS (Comprehensive Case Information System)
 - b.** FINDER (Florida Integrated Network for Data Exchange and Retrieval)

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- I. ATMS2 Database (when applicant has noted any current or prior certification in the State of Florida under the disciplines of Law Enforcement; Corrections; or Corrections Probation).
- J. Process Continued - If no adverse information is learned at this point, the process will continue. Any adverse information will be forwarded to the Training Section Lieutenant for further review. Proper endorsements will be obtained if it is deemed the file is to be closed.

404.5 Preparing for the Background Investigation

- A. Background Application Package** - Upon successfully completing the first phase of the background process, applicants will be required to complete the background application package and attendant paperwork. All applicants will also be required to complete the Authority for Release of Information and Pre-employment Questionnaire. Certified / auxiliary applicants must also complete the writing exercise the additional Questions for Officers Questionnaire. [<Background Package>](#)
- B. Police Officer Applicants, Civilian and DBS Background Investigations** - Police officer applicants, Civilian applicants and Desk Booking Specialist applicants' background investigations will be conducted by the Agency.
- C. Applicant Reception of Background Application** - The Background Investigator has the latitude of arranging for the applicant to receive the background application and attendant paperwork by several means:
 - 1. U. S. Mail system.
 - 2. Arranging with the applicant to have them pick it up personally at the Palm Bay Police Department.
 - 3. Electronically via email.
- D. Background Packet** - The background packet is apart from the employment application.
- E. Applicant Meeting with Background Investigator** - The background investigation continues as the completed application package is submitted. The Investigator is to schedule an appointment with the respective applicant. During this meeting, the background investigator should review the application for completeness and explain to the applicant how the information from the various areas will be used. The background application package is the basic document of the background investigation. Therefore, any items that are incomplete should be discussed with the applicant for resolution.

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F. Inquiries - The comprehensive background investigation process focuses on those areas of inquiry, which have the highest potential of yielding job-related information. If the responses provide insufficient information to complete the investigation, the investigator will make additional inquiries after justifying those inquiries as being job-related.

G. Release of Information - Forms authorizing the release of information should be completed and signed by the applicant. Certified candidates are required to complete the CJSTC 58, Authority for Release of Information, Background Investigation Waiver. All other employees are required to complete the PBPB Authorization for Release of Information.

1. The original, signed authorization should remain on file.
2. Duplicate copies are to be made from it to provide a copy to each source the investigator may contact.

H. Official Copies - When submitting the completed background investigation packet, the applicant will be advised that copies of official documents to verify compliance with state laws will be needed. These documents should be produced at the time the background is submitted.

I. Documents Required

1. Verification of age (Birth Certificate)
2. Verification of citizenship (if born outside of the U. S.)
3. Verification of education (High School Diploma or GED, with transcripts)
4. Verification of acceptable military service (if applicable)
5. Copy of valid Driver's License pursuant to Florida State Statute
6. Copy of Social Security Card for tax purposes/employment. If the Background Investigator has questions about a person's social security card or other questions, contact the Social Security Administration. Source web site. <http://www.ssa.gov/employer/stateweb.htm>
7. Law Enforcement Certificates, if applicable
8. Copy of Certificate of Completion from Basic Academy, if applicable
9. Copy of results of State Examination, if applicable

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10. Recent Photograph [within past six months]

- J. Applicant's Responsibility** - If the applicant indicates that he has lost or misplaced any of the above documents; it is his responsibility to arrange for obtaining duplicate copies. If he provides information that it is impossible for him to provide the document (i.e. the building in which records were stored has burned and all records were destroyed), then this Agency will confirm this information and attempt to find an alternate way of verifying whatever information is needed and contact FDLE for acceptability.
- K. Review of Documents** - When all documents have been submitted, they will be reviewed to be certain that the candidate meets the basic employment standards as prescribed by Florida Statutes and this Agency's standards of acceptability.

404.6 Conducting the Investigation

- A. Start of Process** - Upon receiving the background packet and attendant documents, the investigator shall review it for completeness and ensure that all pages have been completed, all required documentation is included, and all required notarizations are in place. Any items that are missing or incomplete will be discussed with the applicant as soon as possible. In the interest of conserving time, records that may take some time to obtain should be requested as soon as possible.
- B. Folder on Applicant** - At this time, the background investigator will prepare a folder for the applicant. Blue folders are used for certified / auxiliary personnel; yellow folders are used for civilian personnel. This folder will hold the following: applicant tracking sheet; City of Palm Bay application; background packet; interview sheets; required documents; educational documents and information; employment information; driver's license information; criminal history information; personal and landlord reference; military records/documentation; testing information; and any other information gained as a result of the investigation.
- C. Basic Compliance Verification** - The background investigator will complete the background investigation through the following steps in accordance with the provisions of 943.13 FSS; an applicant is required to meet certain criteria in order to be qualified for criminal justice employment. The following is a list of suggestions for verifying compliance:
 - 1. Name changes** - It is essential that every applicant be asked if they have ever had their name legally changed. If the response is yes, they must advise what the previous name was, the reason for having it changed and

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the date and location of the change. This information will facilitate the verification official records that might be recorded under the candidate's previous name.

2. **Age** - Certified / auxiliary applicants must be a minimum of 19 years of age. Civilian applicants must be a minimum of 18 years of age. Verification may be accomplished by:
 - a. Copy of birth certificate
 - b. Copy of court documentation attesting to birth in the absence of a record.
 - c. Naturalization documentation
 - d. Valid U.S. passport
3. **Citizenship** - An applicant for a certified / auxiliary position must be a citizen of the United States. An applicant for a civilian position must be a United States citizen or legal resident alien. One of the following procedures may accomplish verification:
 - a. Birth in the United States: copy of birth certificate
 - b. Birth on foreign soil of American parent(s)
4. A child born of American parents on foreign soil has the option of being a citizen of that country or of the U. S. Neither is legally recognized until declared by the individual. In order to legally recognize the U. S. citizenship, the individual must have received:
 - a. Certificate of Naturalization from the Department of Immigration and Naturalization, or
 - b. Report of Birth Aboard of a citizen of the U. S. issued by a consular office, or
 - c. Current valid passport;
 - d. Department of Immigration and Naturalization Form G-641 Application for Verification from Immigration and Naturalization Service Records.
 - e. A naturalized citizen of the United States: Copy of Naturalization Certificate N-550.

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5. High School Diploma or Equivalency - Certified / auxiliary applicants must be at least a high school graduate or possess the equivalent of a high school diploma. Civilian applicants should be at least a high school graduate or possess the equivalent of a high school diploma. Education is dependent upon minimum requirements for the position as reflected in the Job Description. Verification may be accomplished by:

- a. Public high school diploma; or
- b. Private high school diploma from an accredited school by a regional accrediting agency; or
- c. Private high school transcript documenting high school curriculum if school is not accredited by a regional accrediting agency; or
- d. High school equivalency diploma (GED), a copy of the transcript showing the applicant score meets the overall required total as well as meets the minimum score required in each of the Subject Test Areas.
- e. Post-secondary degree conferred by an accredited institution; or
- f. Official transcripts issued by an accredited post-secondary institution identifying an associate degree.
- g. High School equivalency diploma (USAFI) certificate issued prior to 12/31/1974 by the U. S. Armed Forces Institute.

6. Military - If a Veteran, applicant must possess an Honorable Discharge or General Discharge under Honorable Conditions from any of the Armed Forces of the United States. A dishonorable discharge is not acceptable. Verification may be accomplished by:

- a. Attestment of non-service; or
- b. Copy of the appropriate military records verifying that the individual has not received a dishonorable or undesirable discharge.

404.7 Investigation (General)

A. Information from Interviews - Personal interviews are, of course, preferred over obtaining information by mail and complete notes should be taken of all interviews in order to ensure accuracy. Quoting or paraphrasing is preferred over subjective conclusions. The name, address, and telephone number of the person interviewed, as well as the date, time, and location of the interview

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should be recorded. Throughout the investigation, the investigator should keep in mind the following:

1. If substandard illegal acts for which an applicant has not been arrested or convicted are uncovered in a background investigation, that information may be used in determining the acceptability of an applicant.
2. In many instances persons contacted during the course of the investigation, including the applicant may not have had prior personal contact with the criminal justice system. Therefore, it is important that each person be left with a feeling that courtesy, integrity, and thoroughness are qualities of the criminal justice professional the employment agency represented.
3. If during the course of the investigation, information is obtained which will definitely lead to rejection of the candidate, the investigator will consult with the Training Section Lieutenant to determine if the investigation should continue.
4. It is very important that the investigator maintain an objective position throughout the investigation. No biases should affect the objective quality and content of the investigation.

404.8 Background Investigation - The following will be used to compile and evaluate information for each applicant:

A. Neighborhood Check

1. The purpose of conducting a neighborhood check is to determine the reputation of the candidate concerning their personality and personal conduct that may reflect positively or adversely upon the desirability of employing an applicant as a certified / auxiliary officer. Beginning with the most recent address, at least three (3) immediate neighbors should be interviewed or contacted.
2. Local, long distance and out of area neighborhood contacts can be conducted either by mail, telephone, email or through field investigation.
3. If the candidate lives in an apartment, inquiry of at least four neighbors as well as the apartment manager is recommended.

B. Derogatory Information - Comments of a derogatory nature from a neighbor should be further investigated.

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- C. Previous Residences** - The investigator conducting the investigation must review the Background packet to determine how many previous residences the candidate has had. It is not enough to conduct a neighborhood check in the area the candidate is living in at the time they submitted the application. The investigator should attempt to conduct an investigation in previous areas the candidate has resided.

404.9 Educational Background

- A. Academic Records Check** - The official records of an academic institution can provide information that is of great value in the overall evaluation of a candidate. The information received will provide background data on the candidate's academic performance, character and behavior under a specific set of circumstances during that time.
- B. Evaluate Information** - As with all information received during the investigation, the investigator must evaluate the data objectively and consider the length of time that has lapsed since the candidate attended school. This is not meant to diminish the value of any negative information obtained, but such things as a poor academic record, or a suspension from school for infractions of school regulations should be evaluated with other facts, which have been gathered about a candidate.
- C. Educational References** - Can be conducted either by mail, telephone, email or through field investigation.

404.10 Military Service

- A. Information Source** - Military and other federal service records are often a rich source of information helpful in evaluating a candidate's medical history, sense of duty, patriotism and personal conduct while in a structured environment.
- B. Obtain Information** - Most military records are maintained by the National Archives and Records Administration (NARA) at the National Personnel Records Center (NPRC). To obtain copies of records stored by the NPRC, send the request for review to:

National Personnel Records Center
 Military Personnel Records
 9700 Page Avenue
 St Louis, MO 63132-5100
 Phone: (314) 801-0800
 Fax: (314) 801-9195

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1. Military and training information may be sending appropriate forms to the Federal Government repository. Further information may be found on the World Wide Web at <http://www.aac.va.gov/vault/mrecords.html>.
2. Information about how to request records from NPRC (including copies of DD214's) is available at the National Archives and Records Administration (NARA) website: [Veterans Service Records](#).

C. Military Medical Records - Military Medical Records for Veterans discharged prior to May 1, 1994 and Military Medical Records of service members discharged prior to May 1, 1994, are stored at NPRC. Military Medical Records for Veterans discharged After May 1, 1994 and some records associated with claims for VA benefits are stored at the VA Service Medical Records Center (VA-SMRC). To request copies of records stored at the VA-SMRC, send requests to:

VA-SMRC
PO Box 150950
St. Louis, MO 63115-8960
Phone: (314) 538-4500
Fax: (314) 538-4571

D. Dishonorable Discharge - Florida law specifically prohibits a criminal justice agency from hiring any man or woman, as an officer, if that person has served in the armed forces of the United States and received a dishonorable or undesirable discharge. Although a person may have received an honorable discharge, they may have performed inadequately while in the military service. For example, they may have committed an offense or have been guilty of conduct that would be cause for being ineligible for employment under Chapter, 943 FSS. Attention should be paid to the discharge code on every Form DD214 that is a permanent part of every enlisted person's personnel file. This code may reflect inadequacy and ineligibility for reenlistment.

E. Verify - This information may be clarified through the local recruiter's office. Each applicant should sign a "Request Pertaining to Military Records," GSA Form 180. This authorization should be forwarded to the appropriate federal records center listed on the form.

1. The Form 180 contains the status of service members. Refer to the address code of the record type being request, and follow accordingly.
2. If the candidate has served more than one tour of duty, he should be requested to submit a separate DD214 form for every tour of duty served.

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- F. Military Retirement** - It is possible that the candidate has been Honorably Discharged on all but the last enlistment. A possible exception exists when an Honorable Discharge is given due to retirement. Generally, only one DD214 form is executed although each enlistment was for four years. However, there is never more than a 90-day break in service, which is discounted by the military.

- G. Dates of Service** - In addition to examining the code of the DD214, it is also advisable to examine the date of entry and date of discharge. These dates are not significant by themselves, but if the candidate has served what appears to be a tour of duty considerably less than expected for either an induction or an enlistment, it is certainly worthy of pursuit.

- H. Interview Applicant** - A candidate in this category should be questioned about a short discharge to ascertain the reason. Any inquiry made of the candidate will have to be followed up by official inquiries. The candidate's original application and DD214 should be reviewed to see if he has ever been tried, punished, reprimanded, or reduced in rank for any infraction of military rules and regulations.

- I. Disciplinary Issues** - If some disciplinary problems are indicated, it could possibly be a reflection of the candidate's unwillingness to adhere to limitations placed on him by superiors, an unwillingness to comply with orders, or a general inadaptability to the types of organizational restraints often placed on a police officer. It should be noted that there is a very clear-cut distinction between those discharges classified as "Honorable Discharges" and those classified as discharged "Under Honorable Conditions." The investigator responsible for reviewing the candidate's DD214 should be aware of this difference.

404.11 Previous Employment

- A. Employer Information** - The former employers, supervisors and co-workers of candidates can often provide the investigator with insight into the candidate's work habits, honesty, sobriety, leadership qualities, and ability to get along with people, etc.

- B. Unaccounted Work Period** - The first step of this phase is for the investigator to review the candidate's employment history to determine if the work history has any time spans that are unaccounted. If so, they should be requested to provide information to fill in these blank spaces. It is possible that the applicant may have simply been unemployed and was unable to find work, or has taken a long vacation. Nevertheless, the applicant should be requested to provide details of activities for that period to ensure they have not failed to list any employer they do not wish to have interviewed. Former

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employers and supervisors can be contacted by one of three means: telephonically, by fax, by mail, or in person. The expediency to ascertain this type of information will dictate the method used.

C. Previous Employment List - Applicants are to list all of their previous employment. The information provided must set forth the facts and reasons for any previous separations.

1. Individuals applying for a certified / auxiliary position are required to provide an employment history dating back to the first job held, full time or part time. Additionally, they are to provide the name of the Department Head and immediate supervisor if employed in law enforcement or corrections.
2. Individuals applying for civilian positions are required to provide an employment history dating back ten years.

D. Family Employer - The fact that a former employer is a relative does not mean that information provided is of no value, but it does mean that all information must be weighted in light of the family relationship.

E. Current Employer - Normally, an applicant's current employer should not be contacted until the Agency is certain they are going to employ the candidate. In addition, the applicant should be notified before any interview or contact with their current employer. This will afford the candidate the opportunity to advise the employer of their intention to seek employment with this Agency.

F. CJSTC Check - The background investigator must contact the CJSTC Records Section. This can be done via ATMS2 or by calling (850) 410-8600. The records check will reveal if the applicant has been employed by any Florida criminal justice agency in a position requiring CJSTC certification, any pending or prior officer discipline history, and certification status. Section 943.139(3), FSS, requires inquiry by an employing agency as to the facts and reason an officer separated from prior criminal justice employment.
www.fdle.state.fl.us/cjst/943/index.html

404.12 Application for work in other Law Enforcement Agencies or Correctional Facilities - Included in the background application is a question of whether the applicant has applied for employment with any other law enforcement agencies or correctional facilities. This information, when provided, should be immediately checked with that agency, to save the Agency a great deal of time in conducting a background investigation on a candidate who will eventually be determined unfit. Likewise, it may also save time for this Agency by obtaining results of information already obtained by another agency applied to by a candidate.

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404.13 Criminal Records

- A. Fingerprint Check** - This portion of the investigation is governed in part by Florida Statutes. Florida law requires that each candidate applying for a position, as an officer must be fingerprinted. Arrest information provided through fingerprints to the FBI in Washington, D. C. is permanently maintained and is made available to any criminal justice agency upon request.
- B. Jurisdictions of Residency Checks** - The candidate's application should be reviewed and a form letter requesting a complete record check forwarded to every city or county law enforcement agency within whose jurisdictions the candidate has resided, worked and attended school. The agency should also be queried if any complaints were filed against or by the candidate.
1. Court disposition information from the Clerks of Court in each county is sent to the Florida Department of Law Enforcement, and matched to appropriate arrest records in the Computerized Criminal History (CCH) system.
 2. The FDLE acts as the "central repository" for criminal history records of persons arrested in Florida. The information contained in the (CCH) system is comprised of arrest and disposition information contributed by local criminal justice agencies.
 3. In some instances, there are arrest records in the FDLE system that does not have an associated disposition. In those cases, the disposition information can be obtained by contacting the statutory "official record keeper," which is the Clerk of the Court in the appropriate county.
 4. Some clerk's offices have separate divisions for felony and misdemeanor information for Florida disposition information only. Out-of-state information may be obtained from the appropriate government entity in the state of arrest.
- C. Sealed or Expunged Records** - A criminal history check conducted may reveal the existence of sealed or expunged records. Criminal records sealed under Section 943.059, FSS, are available for inspection for purposes of criminal justice employment. The contents of criminal records expunged under Section 943.0585, FSS, are not available without a court order, although one would be advised of the existence of the expunged record for criminal justice purposes, including employment.

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1. Applicants should be advised that, for purposes of employment, an arrest or conviction sealed or expunged under Florida Law may not be lawfully denied.
2. The applicant should also be advised that a misdemeanor arrest or conviction would not necessarily disqualify them from employment.
3. It should be noted that criminal records sealed under Florida Statutes might be available for inspection by a criminal justice agency for the purposes of employment. The candidate should be notified of this when receiving the Background Investigation Packet.

D. Misdemeanors - A misdemeanor arrest or conviction not involving moral turpitude will not necessarily disqualify an applicant for employment. Each arrest or conviction will be evaluated on an individual basis.

E. Criminal History Query - All applicant names are to be queried through the databases for Sexual Predators/Offenders and Wanted Persons.
<http://www.fdle.state.fl.us/>

404.14 Driving Record

A. Driving History - The candidate will be requested to provide a full account of all traffic citations they have ever received, along with any revocations or suspensions of a driver's license.

1. Crashes - The applicant will also be asked to provide information on all crashes they have been involved.
2. The presence or absence of a traffic record can be a good indicator of the applicant's driving habits, attitude toward authority, and in some cases, maturity. Interviews with applicants about their driving records can prove to be quite revealing. The applicant's response to questioning about past traffic violations sometime reflects refusal to accept responsibility of a misdeed, a basic antagonism toward officers issuing citations, and a degree of immaturity, which may raise doubt about the applicant's suitability.
3. The applicant's driving history is to be reviewed against the Agency's Employment Standards while also paying attention to the severity of the violations; number of violations; and the time span between the violations.

B. Traffic Records Check - Applicants are required to contact the State of Florida, Department of Highway Safety and Motor Vehicles, Tallahassee, FL

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and request a complete traffic record check. Additionally, applicants who have held any licenses from out of state will be required to contact the respective Motor Vehicle Licensing Bureau(s) and have a Driving Abstract sent to the Agency to be made a part of the file.

404.15 Discrepancy Interview - During the background investigation, the investigator may become aware of inconsistencies or contradictions between information the applicant has supplied in the Background packet and that obtained during the investigation. In this situation, the investigator will schedule a discrepancy interview with the applicant and attempt to resolve questionable areas. These discrepancies and the explanations provided by the applicant will be included in the background file.

404.16 Summary Report - Upon concluding the background investigation, the background investigator will prepare a report summarizing the results of the investigation.

404.17 Employment Decision - The background investigation will be reviewed and either approved or disapproved for employment by the following individuals:

- A.** Recruiting and Training Section Lieutenant.
- B.** Support Services Division Commander.
- C.** Chief of Police, or designee.
- D.** Director of Human Resources, or designee.

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Rescinds: OMA405 Revised: 08/30/16	CFA 5th: Chapter 10	Revised: 10/20/17
Reference: GO 403, 404, 405, OMs B thru E, OM A406. <u>City Rule 20-Educational Reimbursement.</u>		

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405 Purpose

A. Primary Goals

1. Identify, formulate and deliver training programs to sworn and civilian members to enhance safety, performance and service to the community.
2. Maintain a recruiting and hiring program that will enable the Palm Bay Police Department to hire the most qualified applicants.

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3. Ensure training and hiring programs are consistent with the Agency's Values, Mission and Vision statements.
4. Remain current with the latest training methods and information and address remedial training needs.

B. Secondary Goals

1. Schedule and implement training programs.
2. Provide proper classroom space and other adequate locations for training programs.
3. Provide material needed for the training programs.
4. Facilitate instructor training.
5. Establish criteria for instructor selection.
6. Provide for the evaluation of training programs and instructors.
7. Record and maintain employee and volunteer members training records.
8. Record and maintain training programs instituted by the Agency.
9. Maintain instructor performance records.
10. Maintain specialty unit training records.

C. Scope of Responsibilities

1. Under the direction of the Chief of Police and the Support Services Division Commander, the Training and Recruiting Section (TRS) will facilitate the training of sworn and civilian personnel by identifying and offering instructional programs, in-house and externally, that enhance personnel skills.
2. The TRS will coordinate with the City's Human Resources Department to identify and hire the most qualified individuals for Agency positions [<GO 404>](#).
3. The TRS will maintain all training records, to include, but not limited to: in-service; advanced; specialty, instructor; conferences; and FDLE mandatory retraining.

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4. The TRS will maintain job descriptions which contain required and recommended training for all positions in the Agency.

405.1 Definitions

- A. **Training and Recruiting Section Lieutenant** - A sworn employee, designated by appointment of the Chief of Police and Commander of the Support Services Division who is responsible for the overall Training and Recruiting Section (TRS).
- B. **Training and Recruiting Sergeant** - A sergeant selected following General Order 410 who is responsible for facilitating the Training function for the agency.
- C. **Training Officer** - A sworn Officer designated by General Order 410 who provides necessary instruction for in-service training. The training officer(s) are responsible for coordination of all training to be conducted at the Palm Bay Police Department.
- D. **Background Investigator** - A sworn employee designated by appointment of the Commander of the Support Services Division and TRS Lieutenant.
- E. **Training Secretary Coordinator** - A civilian employee designated by appointment of the Commander of the Support Services Division and TRS Lieutenant.

405.2 Duties and Responsibilities

- A. **TRS Lieutenant** - Plans and administers Section activities, including certified and civilian recruiting, hiring and in-service training, oversees the Firearms Range, Armory and weapons inventory.
 1. Recommends lead instructors to Senior Staff.
 2. Interfaces with the Human Resources Department on hiring activity and processes.
 3. Recommends to Senior Staff candidates for sworn positions.
 4. Oversees Department applicant background investigations.
 5. Oversees the General Orientation program for all Agency employees.
 6. Maintains liaison with the regional training academy at Eastern Florida State College.

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7. Oversees administrative issues relating to school requests and travel approvals.
8. Processes purchases associated with the Unit including those related to the firearms range and armory.
9. Develops and submits the Unit's budget recommendations.
10. Reports to the Support Services Division Commander.

B. Training Sergeant

1. Recommends lead instructors to Senior Staff.
2. Ensures in-service training programs are conducted and attendance records are maintained.
3. Coordinates with Division Commanders and the Training Team on training programs conducted by the Agency.
4. Serves as Training Team facilitator.
5. Administers the Orientation Program for Certified Personnel.
6. Reports administrative issues relating to school requests and travel approvals.
7. Administers the Agency's firearms range.
8. Reports to the Support Services Division Lieutenant.

C. Training Officer

1. Coordinates in-service training programs.
2. Interacts with the Firearms Instructors on Firearms Range maintenance.
3. Assists in the orientation and training of probationary Police Officers.
4. Interfaces with Agency instructors.
5. Provides instruction on topics of expertise, or as certified.
6. Properly records, files in-service training documentation.
7. Assists as Police Recruiter.

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8. Reports to the Training Sergeant.
9. Schedules and conducts orientation and training programs for newly hired civilian personnel; assists with the orientation and training of certified personnel when required.
10. Coordinates training programs with other departments, community colleges, and private vendors to meet the training needs and requirements of Agency personnel.
11. Verifies and maintains all documentation pertaining to the certification registration and attendant paperwork of part-time and full time certified personnel.
12. Ensures compliance with FDLE pertaining to Mandatory Retraining and Certification requirements to include Instructor; Breath Test Operator; and Agency Inspector.
13. Ensures compliance with State required Domestic Security Training (ICS/WMD).
14. Monitors Unit to maintain compliance with defined Accreditation Standards.
15. Reports to the Training Sergeant.

D. Background Investigator

1. Conducts background investigations on all certified and civilian applicants. Conducts background investigations on all members participating in any volunteer program position under the umbrella of the Agency; is also required to conduct screening on custodial personnel having access to the Police Department.
2. Interfaces with the Human Resource Department and FDLE on employment matters.
3. Verifies and maintains all documentation pertaining to the certification registration and attendant paperwork of part-time and full time certified personnel.
4. Conducts driver license checks and wanted persons checks of all Agency personnel in accordance with Agency policy.
5. Assists with the Agency's Recruiting Program.

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6. Reports to the Training Lieutenant.

E. Training Coordinator

1. Processes department school and travel requests.
2. Supports TRS personnel.
3. Updates training information to keep Agency personnel advised of training opportunities.
4. Files training documentation and oversees retention of the same.
5. Maintains training database and records.
6. Reports to the TRS Lieutenant.
7. Ensures compliance with FDLE pertaining to salary Incentive.
8. Processes Educational Reimbursement for Agency employees.
9. Processes Higher Education, Academic Achievement, and Salary Incentive Monies for certified personnel.
10. Coordinates training programs with other departments, community colleges, and private vendors to meet the training needs and requirements of Agency personnel.

405.3 Staff Selection - Position Requirements

- A. Training Lieutenant** - Appointment to the rank of Lieutenant.
- B. Training Sergeant** - Sergeant who is selected after a formal interview process. Must possess exceptional written, verbal and organizational skills. Should have current instructor certification in firearms or be willing to obtain such certification upon selection as Training Sergeant.
- C. Training Officer** - Certified officer with at least one year of experience with the Agency, possessing exceptional written, verbal and organizational skills. Motivation, a strong interest in teaching and knowledge of weapons consistent with that of a firearms trainer are desired. Should have current instructor certification in firearms and simunitions or be willing to obtain such certification upon selection as Training Officer.
- D. Background Investigator** - College-level course work or specialized training and a minimum of two years experience in law enforcement work, preference

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to experience in background investigations; should possess knowledge and skills in hiring and background investigation practices. Investigator must possess exceptional written, verbal, and organizational skills. [<OM A406>](#)

E. Training Coordinator - [<OM A406>](#)

F. Position Vacancies

1. **Posting** - Open positions will be posted within the Agency per respective union contracts.
2. **Selection Process** - Refer to Selection Process General Order [<GO 404>](#).

405.4 Agency Orientation - Agency Orientation is flexible and adaptable to suit the needs of each employee, depending upon assignment. General Orientation, at a minimum, will cover the following:

- A. Pay periods.
- B. Identification card/Department Head signature.
- C. Identification number.
- D. Employee Number.
- E. Oath of Office (Sworn Personnel).
- F. Uniforms/Equipment.
 1. Cell phone, depending on assignment.
 2. Smart phone, depending on assignment.
 3. FDLE registration and attendant paperwork (Certified).
 4. Notification to the Logistics Section for an email account (all).
 5. Notification to AMU for activation of DMS accounts.
 6. Notification to the Logistics Section for access to CAD and Records Management. (Communications Center personnel, Records Section personnel, and certified personnel)
- G. Establishment of training file and evaluation folders.

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H. Work site overview

1. Tour of the Agency, work area, location of first aid kits, restrooms, break room, parking areas.
2. Description of employee's job or list of duties and responsibilities (provide job description).
3. Work of division/section/unit, employee's position in the section and the working relationship with other employees.

I. Introduction of Employee to Agency personnel.

1. Duties of each person to who introduced.
2. Contact person who the new employee should go to in the future for job related assistance.

J. Rules and Regulations

1. Work hours. Lunch, break and overtime.
2. Employee classification and performance standards.
3. Terms and conditions of benefits provided for under specific policy and/or bargaining unit agreement.
4. Pay check distribution.
5. Where and when to call in case of illness or inability to get to work.

K. Performance evaluation and probationary period.

1. Safe working habits and reporting of job related injuries.
2. Agency General Orders and operating procedures: employee is trained on access to directives thru City computer network or Resource Library.
3. New employees are trained on the Commission for Florida Law Enforcement Accreditation process.

L. Email notification pertaining to new hire status

405.5 In-Service Training Program

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- A. The TRS personnel will design and implement training programs and will provide training courses designed to enhance knowledge and skill in the field of law enforcement.
- B. The TRS is responsible for development, implementation and scheduling of in-service training courses and will offer classes required by policy on a fiscal year basis. (See Annual Retraining)
- C. The Division Commander, or person of higher rank, defines topics of instruction and approves training course(s) for his/her personnel.
- D. **Notification of the In-Service Training Program** - The Training Lieutenant will coordinate with the Training Officer to define scheduling and notify the appropriate manager or supervisor indicating the dates, times, location, and a description of each course offered. The responsible manager or supervisor will schedule his/her personnel for training.
- E. **Scheduling for In-Service Training** - The TRS, when offering courses of instruction, will generally do so on multiple dates. It may be offered in the morning hours and repeated in the evening hours, normally accommodating officers' work schedules. This schedule allows officers the opportunity to attend regardless of their scheduled assignment. Typically, additional dates are also provided on high liability topics.
- F. **Sign-up for the In-Service Training Program** - The TRS will make available sign-up sheets for in-service courses. These documents should be signed by all personnel attending and returned to the TRS.
- G. All certified and/or civilian personnel scheduled for training must successfully complete all content areas of the training program. Training attendance requirements:
 - 1. **In-service training program** - All sworn and civilian personnel who are scheduled for a mandatory in-service training course must not be absent for more than 10% of the total course hours. If the person is absent for more than 10 percent, he/she will receive an "I" (incomplete) status for that course. Agency Training General Order 405 defines courses that must be completed by personnel on an annual basis.
 - 2. **High liability training** - All sworn personnel must be present for the entire training program, unless the absence is authorized.
- H. **Authorized and Unauthorized absence**
 - 1. **Authorized absence** - Personnel not attending any of the scheduled training sessions due to illness, court appearance, and any other

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authorized absences will be rescheduled for the next available training session. It is the primary responsibility of the absentee to follow up on this process. It will be the responsibility of the immediate supervisor to monitor the employee's compliance to make up the respective training.

2. **Unauthorized absence** - Personnel who are scheduled to attend a training program and do not successfully complete that course due to an unauthorized absence, will be rescheduled for the next available training session by their supervisor or manager. Unauthorized absences may result in disciplinary action and documented as such with the student's supervisor or manager.

I. Attendance documentation

1. All training programs conducted by the TRS will utilize an attendance sign-in sheet for each training day or session. The sign-in sheet will be completed at the onset of the training session and re-verified at the end of the session. For each eight-hour block of continued instruction, a sign-in sheet will be completed by the attendees, once for the morning session, and another one for the afternoon session.
2. The completed attendance sheet will be maintained in the respective in-service training file. The Training Officer or Training Coordinator will be responsible for this process.

- J. **Training Documentation** - Upon the successful completion of any in-service training course, the TRS Coordinator will document the employee's completion of the course by completing all pertinent fields in the Training Database.

K. Training Certificates and Files

1. Upon completion of a class, seminar, or training course, employees are to send a copy of their training certificate(s) to the TRS Coordinator. This individual will be the primary point of contact in this regard.
2. Once receipt of the document has been entered into the Training Database, a copy of the certificate is to be filed in the individual's training folder.
3. Filing is to be accomplished each month in order to ensure the training folder remains current.

L. Training Program Testing

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1. Competency-based testing will be used on select in-service training courses. Skills, which can be demonstrated, will be graded utilizing a Pass/Fail scoring.
2. All written examinations covering high liability subject matter will be scored using the Pass/Fail method of scoring. All other tests administered will be scored with an 80% as the passing score.
3. An employee will retest until they have successfully passed the respective test and the scoring parameters established for said test (subject matter).
4. Assessment Center testing may be used with the approval of the Chief of Police.

M. Evaluation of courses

1. Outside training and instructors are evaluated by the students as to course content and instructor's knowledge and teaching ability. These evaluations will be reviewed by the Training Staff to determine future use as well as subject relevance to the Agency.
2. In-service training courses, as determined by the Training Staff, will be evaluated by the students in order to obtain subject matter relevance and allow the staff to critique the overall outcome of the training.

N. Annual Retraining

1. The retraining will be designed to keep personnel up-to-date with new laws, technological improvements and revisions in Agency procedures, regulations and operational practices.
2. Retraining will be designed to provide supervisory, management, or specialized training to participants, and/or items of general interest and concern.
3. It is the responsibility of the Training Lieutenant, working with other members of the TRS and Training Team to formulate, schedule and implement retraining of certified personnel. Attendance is required. If an individual is deficient in any high liability area, as defined by the Criminal Justice Standards and Training Commission (CJSTC), additional remedial training will be mandated and documented in the officers training file. If the individual fails to meet the minimum standard, a report will be made to the Chief of Police for further action.
4. The Agency's required annual retraining may include but not be limited to the specified subject areas. The Agency's Staff will establish training

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topics that are deemed to be required each year, over and above training mandated by the State of Florida. The training will be based upon both position assignment and rank. A review will be conducted each year concerning training topics and projections.

5. All certified personnel (part-time and DBSII) are required to demonstrate their proficiency in the use of firearms once a year. Qualifications will be performed under annual daylight conditions.
6. Training will be on an approved course conducted by a certified firearms instructor.
7. Failure to qualify with the Agency's issued firearm will result in additional training. If the officer fails to qualify after the additional training, disciplinary action will occur up to and including dismissal. A report will be made to the Chief of Police.
8. Sworn officers are also required to demonstrate proficiency in the use of their secondary firearm (back-up) once a year. Failure to do so will result in additional training by an Agency certified firearms instructor. If the officer fails to qualify after the additional training, they will not be allowed to carry that weapon.
9. Training will be on an approved course conducted by an Agency certified firearms instructor. All handgun qualification must be performed under the direction of FDLE certified firearms instructor(s).
10. Sworn officers who are authorized to use the rifle are to qualify annually with the Agency approved rifle. Those issued shotguns are to demonstrate proficiency annually. This qualification will be on an approved course by an Agency-certified firearms instructor. Failure to qualify with the rifle or show proficiency with the shotgun will result in additional training. If the officer fails to qualify or show proficiency after the additional training, they will be prohibited from its use.
11. All sworn and Desk Booking II personnel issued Less Lethal Weapons: baton, chemical agent, less lethal munitions, and Taser, will be required to demonstrate proficiency. This training may include, but not be limited to:
 - a. Agency policy on Use of Force and Weapons.
 - b. Progression of force.
 - c. Control techniques.

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12. The proficiency testing and remedial instruction will be conducted on an annual basis. In the individual fails to meet the minimum standard, a report will be made to the Chief of Police.
13. Defensive Tactics proficiency training will be provided annually for sworn first responders and DBS. This training is to include the Use of Force Policy and testing on same.
14. Basic EVOC proficiency requirements are to be demonstrated biennially. All sworn first responder uniformed patrol officers are required to participate.
15. Hazardous Materials, Bloodborne Pathogen and Right-to-Know refresher training will be conducted biennially in a one-half hour block of instruction; all "at risk" employees are required to participate.
16. CPR/A.E.D. (Defibrillator) training will be conducted on a biennial basis. All sworn personnel and Desk Booking Specialists are required to meet proficiency requirements per A.S.H.I.
17. First Aid training will be given to all uniformed first responder patrol officers and Desk Booking Specialists on a biennial basis. Proficiency in this area will be demonstrated.

O. Training Team

1. The Training Team will consist of representatives of the TRS, lead instructors and management personnel who oversee impacted students.
2. The Team will oversee development of in-service training programs.
3. The Training Team will meet as needed to identify and review training needs and opportunities.
4. The TRS Lieutenant will serve as facilitator.

P. Training Postings/Announcements - The Training Officer will ensure that in-service training announcements are distributed at least 10 calendar days in advance by both postings and electronic transmission on the Agency's computer network.

Q. Classroom Space for In-Service Training - The environment in which the training is being held must be adequate to conduct a well-organized and thorough training program.

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1. Classroom: The classroom will be of adequate size to achieve the Agency's training goals. Scheduled training conducted in the training room will be noted on the Training Room Reservations Calendar. The Training Room calendar is located under the Outlook, Public Folders, All Public Folders, and PD Training Rooms. The calendar is available for any employee to view. However, access for scheduling purposes is limited to TRS personnel only.
2. Equipment. The following equipment and visual aids will be available for classroom use:
 - a. Chairs and desks or writing tables.
 - b. Audiovisual equipment.
 - c. White board.
 - d. Overhead projector (upon request by reservation through Technical Services).
 - e. Slide projector or screen.
 - f. Video monitor.
 - g. Laptop computer (upon request by reservation through Technical Services). This is accomplished by (1) sending an email to the Agency's Technical Services Section and (2) going to Outlook, Public Folders, All Public Folders, PD PowerPoint Project and reserving same on the calendar.

405.6 Training and Travel Processing

- A. Agency personnel who travel on City / Agency business will have their expenses paid in accordance with City Policy. The traveler is responsible for complying with both Agency and city Policy. The following details the procedures for travel authorizations, funding, and reimbursement. This will apply to all Agency personnel, volunteers, and all others who are authorized to travel on official Agency / City business.
- B. Employees wishing to attend a school or conference must complete a school request form in accordance with the stated directions and submit it through their chain-of-command to the Training Coordinator. The request is to contain all required signatures. The request will be reviewed for content and completeness.
 1. The request is sent to the TRS Lieutenant for review and initials.

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2. The request is subsequently sent to the Support Services Division Commander for review of funding.
 3. The request is returned to the TRS Coordinator for processing.
- C.** The Training Coordinator will process all school requests, travel and expense reports.
1. The employee will provide the appropriate documents including brochure and/or school announcement as well as any financial information with the school request. Requests received without the required information may be subject to delayed processing. Incomplete requests will be returned to the employee for corrective action.
 2. School requests should be initiated at least two weeks prior to class. Requests that include overnight travel should be completed at least four weeks in advance of departure.
 3. Agency-approved training or travel expenses will be paid or reimbursed through Agency funds. Items such as registration, lodging, gas, tolls, meals and training materials will be paid in accordance with City Policy. (Refer to Attachment A)
 - a. Class A Travel. Training requiring continuous travel 24 hours or more away from the Agency.
 - b. Class B Travel (Overnight). If requesting to stay in a hotel, note check in and check out date on the form. Also complete the date and time of departure and return.
 - c. Travelers are responsible for returning any overpayment of monetary advances including returning sooner than expected.
 - d. Upon return from school, provide the Training Coordinator with the original hotel bill and any receipts for reimbursement within ten (10) days of the scheduled return date to close out the account.
 4. The travel package includes per diem, hotel check, and tax-exempt form. The tax-exempt form is to be given to the hotel to avoid a charge on the City credit card. A hotel confirmation letter and driving directions is included also, if needed.
 - a. Method of per diem calculation.

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- b. Travel prior to 6 a.m. and arriving after 8 a.m. is eligible for a pre-defined breakfast payment.
 - c. Travel prior to 12 noon and arriving after 2 p.m. is eligible for a pre-defined lunch payment.
 - d. Travel prior to 6 p.m. and arriving after 8 p.m. is eligible for a pre-defined dinner payment.
 - e. Incidentals are \$3.00 per day for each day of class. Travel before or after class dates are not included.
5. The Support Services Division Commander will coordinate with the Training Lieutenant and Training Coordinator on reimbursements. The Training Section will maintain petty cash, as outlined in City ordinance, for select reimbursements not to exceed twenty-five dollars (\$25). The petit cash revolving fund will be audited by the Support Services Division Commander, or designee, on a quarterly basis.
 6. Class C Travel (No Overnight/Out of County) requires no monetary advances. After submission of all receipts, an Expense Report Worksheet will be completed by the Training Coordinator at the end of the class. The employee will be required to sign this form. A daily per diem will be reimbursed through payroll.
 7. Upon return from school, the employee is to give the Training Coordinator a copy of the certificate of completion. The copy will be placed in the employee's training file and the information will be entered into the Training database.
 8. A copy of the FDLE certificate is to be given to the Training Coordinator for subsequent processing of Salary Incentive Monies (when applicable).
 9. The notification of a class cancellation is to be sent to the Training Coordinator by email.

405.7 Eastern Florida State College Registrations

- A. Attendance to Advanced, Specialized, or Instructor courses being held at the Eastern Florida State College under the Criminal Justice Program requires the completion of an Agency School Request Form. The form is to be signed and dated by the employee and those in the chain of command.
- B. The request is to be submitted to the TRS Coordinator to review for content and completeness.

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- C. The request is then sent to the TRS Lieutenant for review and initials.
- D. The request is subsequently sent to the Commander of the Support Services Division for review of funding.
- E. The request is returned to the TRS Coordinator for processing.
- F. ESFC's 15A form is completed, signed and faxed to the Criminal Justice Center's Training Coordinator. No cover sheet is required. Same is retained for the file.
- G. The name of the employee, course title, date, and location are entered in to the School Registrant's Document located on the "K:" drive.
- H. Upon completion of the course, the original certificate(s) will be sent to the TRS Coordinator. The original is sent to the respective employee, the Training Database is updated reflecting receipt of same, and a copy is filed in the individual's training file. If the employee receives the original certificate, they are to give a copy to the TRU Coordinator.
- I. The class folder is closed and filed in the appropriate month that it took place.

405.8 Lesson Plan Approval Process <[Lesson Plan Form](#)>

- A. Lesson Plans must be approved by the respective Lead Instructor and the TRS Lieutenant. If the plans reflect a high liability topic, they are to be signed by the Chief of Police before they are utilized. Lesson plans will be consistent with Agency guidelines, State requirements and other Agency policies. Every approved lesson plan will be maintained on file with the TRS to document instruction given on any particular topic and date.
- B. The utilization of properly prepared lessons is an essential part of the training program. A properly prepared and approved lesson plan will ensure continuity in the training and its objectives. The lesson plan must be sufficiently detailed so that another qualified instructor, other than the creator, can conduct the training session.
- C. All training courses will require a lesson plan. Lesson plans created and established for use within the Agency will provide for the following:

Unit Title
Course Title
Number of Training Hours
Prepared By
Approved By
Primary Instructor

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Alternate Instructor
 Scope
 Performance Objectives
 Evaluation Procedures
 Equipment and Supplies
 Student Materials
 Course Content
 Training Aids

- D.** The TRS will utilize, but not be limited to, a number of resources within and outside the Agency in development. These resources may include:

Offense/Incidents reported as completed by officers in the field;
 Input from the Line, Command, Supervisory, Administrative, Executive Staff, and the Chief of Police;
 Training Evaluations;
 Training Team recommendations and reports;
 Interview with organizational members;
 Visual observations of organizational operations;
 Staff meeting minutes (feedback);
 Internal Affairs investigation reports; and/or
 Inspection reports

405.9 Testing Procedure - Testing of an individual during and/or upon completion of a training course shows the degree of retention by the individual and the instructor's ability to cover and properly deliver the subject matter. Employees will also be tested on those directives relevant to their respective work unit, section, or division. The method of testing must be in accordance with both the course objectives and the subject matter taught. Testing will be accomplished by either written format or electronic format. Staff will determine topics requiring testing.

- A.** A realistic alignment between the course objectives and examination questions will be made for the submission of tests and their approval. Instructors will provide the original examination to the Lead Instructor and Training Lieutenant for review prior to testing. (The approved examination as authorized by the TRS Lieutenant will be the only examination authorized.)
- B.** Competency based testing will be used on select in-service training courses. Skills that can be demonstrated will be graded utilizing a Pass/Fail scoring.
- C.** All written examinations covering high liability subject matter will be scored using the Pass/Fail method of scoring. All other tests administered will be scored with an 80% as the minimum passing score.

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- D. An employee will retest until they have successfully passed the respective test and the scoring parameters established for said test (subject matter). If the student does not pass a written test with the minimum score or percent, the student will retest until they do so. If the student is not successful on the re-test, the student will be required to take remedial training.
- E. All grades obtained in a course will be retained by the TRS for a minimum of three years.
- F. Course Preparation and Procedure - Primary instructors will provide the TRS a complete lesson plan for the block of instruction they are to instruct. The lesson plan will be in electronic type written form and consist of the following:
 - Course Title
 - Total number of course hours and schedule of presentation
 - Course objective
 - Visual aids used
 - Handout material
 - Measured proficiency (written examination/practical examination)
 - Bibliography, if applicable
- G. A copy of the lesson plan will be placed on file as permanent record. If the lesson plan is not approved, it will be returned to the submitting instructor for the necessary corrections.
- H. Outside Instructor's Service
 - 1. Outside agency instructors can be utilized in cases where the Agency's instructors do not have expertise in that subject area.
 - 2. All outside agency instructors must possess CJSTC Instructor certification or a teaching degree, and/or specialized expertise in the area of instruction.
 - 3. All outside instructors will follow the criteria as set forth in this standard operating procedure.

405.10 Evaluation and Revision of Training Programs

- A. Training programs will be evaluated continuously to ensure they are relevant, current and meet the needs of the agency. This process will also improve the skills, knowledge and abilities of the agency personnel as well as reduce the possibility of civil liability through improved job performance.

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- B. The TRS Lieutenant, coordinating with the Training Team and Senior Staff, will oversee the evaluation and revision of all training programs within the Palm Bay Police Department.
- C. Information will be obtained from the following sources:
 - 1. Student evaluation of the instructor's techniques and course content.
 - 2. Job performance evaluations of current personnel.
 - 3. Job task analysis of those to be trained.
 - 4. Law review and updates.
 - 5. Research and development.
 - 6. Current and/or updated department policies.
- D. Use of obtained information - The TRS Lieutenant will review information collected to determine if it is pertinent to current and/or future planned training; if found to be valid in improving the training function, a revision will be conducted.

405.11 In-Service Training Records

- A. These records will be maintained by the TRS.
- B. Employee files will be updated following attendance at in-service training.
- C. Training attendance records will be posted electronically on the Agency's networked computer system. Agency personnel should review these records periodically to ensure compliance with training requirements.
- D. Records Maintenance
 - 1. The TRS will maintain and control a training file on each employee that describes the course, title, number of hours and date. A copy of training certificates, if issued, will be maintained in the training files of employees.
 - 2. The TRS will maintain records of all training classes that include: course content in the form of lesson plans, names of students from attendance sheet and student proficiency measurements.
 - 3. Release of training records outside the Palm Bay Police Department will follow the guidelines set forth by Chapter 119 of the Florida State Statutes entitled Public Records.

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405.12 Applicant Processing - The TRS will coordinate the certified and civilian selection processes of those candidates who are determined by the Human Resources Director to be eligible for consideration. Applications for employment will be handled in the following manner:

- A. The Human Resources Department will forward applications to the TRS.
- B. The applications will then be sent to the respective supervisor/manager for the interviews.
- C. Upon completion of the interviews, the supervisor/manager is to return the applications to the TRS. They are to indicate the person(s) they recommend for further consideration as well as provide a brief statement on any one not considered.
- D. The TRS will notify the Human Resources Department of the results of the interviews.
- E. The applications of those candidates remaining in the process will be forwarded for background investigations. The remaining applications will be closed.

405.13 Police Officer Recruiting - See [<Recruitment GO 403>](#)

- A. The TRS, working in concert with the City's Human Resources Department, will make it a practice to provide detailed information on Police Officer employment opportunities at the Agency.
- B. The TRS will encourage interested Police candidates to participate in the application and testing process.
- C. The TRS will coordinate with Human Resources to ensure recruiting information is both accurate and timely. This includes information posted on the City web site.

405.14 Basic Police Officer Recruit Training

- A. The City may employ non-certified recruit trainees in a Florida Criminal Justice System Academy.
- B. Recruits will focus on Academy instruction when enrolled in a basic day academy. Recruits enrolled in an evening basic academy program, proficiency class, or Cross-Over Academy may be expected to complete service time with the Agency to ensure they have satisfied required hours of employment.

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405.15 Probationary Police Officer Orientation

- A.** The Agency orientation will be provided by the TRS and include but not be limited to information on agency operations, policy and regulations, and standard operating procedures.
- B.** Orientation will consist of training in high liability areas, including firearms, defensive tactics, Emergency Vehicle Operations and First Aid/CPR.

405.16 Civilian Training

- A.** The Agency orientation will be provided by the TRS and include but not be limited to information on agency operations, general orders, and standard operating procedures
- B.** Specialized training will be given to civilians performing the following functions:

Desk Booking Specialist (CERTIFIED)
 Public Service Aide
 Materials Management Technician
 Records Specialist
 E 911/Call Taker/Police Dispatcher
 Training Coordinator
 Crime Scene Technician
 Secretary
 Background Investigator

- C.** All civilian employees will receive annual training, which consists of policy and procedure updates and updated skills in their area of responsibility. (This information will be documented and recorded in a manner similar to that of sworn personnel.)

405.17 Educational Reimbursement Program - Full time regular employees who wish to request consideration under the educational reimbursement program must complete the Educational Reimbursement Form.

A. Part A - Intent

- 1.** This portion of the form is for requesting initial approval to pursue a specific degree/certification. Approval of Part A signifies approval for the employee to pursue class work in his/her degree field.
- 2.** In those cases when an employee has continued their degree program beyond the estimated degree/certification completion, they will be required

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to complete a new Educational Reimbursement Form, Part A, in order to update their file.

- a. Employee completes Part A.
- b. This is then sent to the Training Coordinator.
- c. The Form is reviewed for completeness, date stamped, entered into the respective employee's folder log sheet, and then forwarded to the Chief of Police, through the Support Services Division Commander, for approval and signature.
- d. Endorsed form is returned to the Training Coordinator. Appropriate action is recorded in the employee's folder log sheet.
- e. Educational Reimbursement Form is sent to Human Resources for subsequent processing.
- f. The original with signatures is returned to the Training Coordinator. Pertinent information is entered into the Educational Reimbursement Spreadsheet. A copy is sent to the employee. The original is filed, accordingly.

B. Part B - Request for Course Approval

1. A new Part B is required each time an employee seeks approval for a specific course (class). Employees requesting non-degree related course approvals are not required to complete Part A, they begin their process with Part B. *Approval of Part B signifies the department has the necessary funds to reimburse the employee and is committing these funds for payment, at the appropriate rate, to the employee when the course(s) is/are successfully completed.* Once Part B has been approved, it is retained by the Training Coordinator until he/she completes the course(s) and seeks reimbursement.
2. A new part B will be required in those circumstances when either (1) the employee withdraws from a class and takes it at a later date, or (2) when the college/university cancels a class and the employee takes it at a later date.
 - a. The employee will already have on file their copy of Part A. If not, they are to contact the Training Coordinator for a copy of same. (Note: It is recommended the employee retain several copies of their signed copy of Part A for future use while in the Program.)

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- b. Part B is to be completed and submitted *in advance* of each semester and/or course registration in order to seek approval for those courses (maximum 2 per semester). The approval process ensures monies are encumbered for reimbursement upon completion of the classes.
 - c. When completing Part B, the number of credit hours per class is to be recorded for future processing of reimbursement dollars.
 - d. The completed Part B is to be sent to the Training Coordinator to be reviewed for completeness, date stamped, entered into the respective employee's folder log sheet, and then forwarded to the Chief of Police, through the Division Commander, for approval and signature.
 - e. Endorsed form with signatures is returned to the Training Coordinator. Appropriate action is recorded in the employee's folder log sheet.
 - f. Educational Reimbursement Form is sent to Human Resources for subsequent processing.
 - g. The original with signatures is returned to the Training Coordinator. Pertinent information is entered into the Educational Reimbursement Spreadsheet. A copy is sent to the employee; the original is filed, accordingly.
3. At the time of registration, it is incumbent of the employee to maintain the receipts for tuition and/or books. This will expedite the process once the grade reports have been received.

C. Part C - Request for Reimbursement

- 1. When an employee seeks reimbursement for a satisfactorily completed course for which he/she has a processed Part A (when required) and Part B on file, the employee will complete Part C and attach supporting documents and submit them to the Training Coordinator. Supporting documentation consists of: original receipts for books and tuition, and a copy of the grade report. Human Resources must receive the completed Part C within 45 days of completion of the course(s). Therefore, the employee is responsible for planning accordingly.
 - a. Then the employee completes the course(s), they will bring a copy of the grade report and original receipts for tuition and books to the Training Coordinator.
 - b. The employee will complete Part C (of the corresponding original Part B).

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- c. This will be forwarded to the Chief of Police, through the Support Services Division Commander, for signature.
- d. The signed Part C will be returned to the Training Coordinator. A copy of the form along with copies of the receipts and grade report will be filed, accordingly.
- e. The Educational Reimbursement Form with the original documents will be sent to Human Resources for subsequent processing.
- f. The employee will receive a check within (approximately) two weeks.
- g. The reimbursement check is to be sent to the Training Coordinator. A copy will be made, date paid entered into the Spreadsheet, and filed.
- h. The check is given to the respective employee.

D. Employee Responsibilities

- 1. Notification when there is a change in the college/university they are attending.
- 2. Notification when there is a change with regard to the type of Degree they are pursuing.
- 3. Notification when a different class is taken from that previously requested.
- 4. Notification if a class is cancelled.
- 5. Notification when a class is dropped.
- 6. This will be done by contacting the Training Coordinator and making the respective change to Part A and/or Part B of the Educational Reimbursement Form. This will help to reflect the changes on the form prior to submitting for reimbursement. If changes are made and the employee does not make the proper notification, it may cause a delay in the processing of the reimbursement.
- 7. Ensuring proper and timely submission of Part B and Part C.
- 8. To become familiar with the Educational Reimbursement Program as it relates to them. [<Educational Reimbursement Procedure Receipt>](#)
 - a. City Policies and Procedures - General Employees
 - b. FOP Bargaining Agreement - Sworn Personnel

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c. NAGE Bargaining Agreement - Positions Covered

9. Questions regarding the Educational Reimbursement Program should be directed to the Training Coordinator.

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Reference: HR Job Descriptions		

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406.29	Training Coordinator
406.30	Victim Advocate

406 Purpose - An Agency member's understanding of the duties and responsibilities of a position is essential. Job descriptions are necessary for developing and implementing recruitment strategies, validating hiring and promotion procedures, determining training requirements and evaluating employee performance.

406.1 Community Services Section Manager - Job Description [Community Services Division Manager](#)

406.2 Crime Analyst - Job Description [Crime Analyst](#)

406.3 Crime Scene Technician - Job Description [Crime Scene Technician](#)

406.4 Deputy Police Chief - Job Description [Deputy Police Chief](#)

406.5 Desk Booking Specialist 2 - Job Description [Desk Booking Specialist 2](#)

406.6 Desk Booking Specialist - Job Description [Desk Booking Specialist](#)

406.7 Dispatcher E911 Call Taker - Job Description [Dispatcher E911 Call Taker](#)

406.8 Latent Print Examiner - Job Description [Latent Print Examiner](#)

406.9 Logistics Section Manager - Job Description [Logistics Section Manager](#)

406.10 Materials Management Section Supervisor - Job Description [Materials Management Section Supervisor](#)

406.11 Materials Management Technician - Job Description [Materials Management Technician](#)

406.12 Office Manager - Job Description [Office Manager](#)

406.13 Police Commander - Job Description [Police Commander](#)

A. Support Services

- a. Recruiting and Training Section
- b. Materials Management
- c. Records

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d. Department Safety Manager

406.14 Police Chief - Job Description [<Police Chief>](#)

406.15 Police Lieutenant - Job Description [<Police Lieutenant>](#)

A. Support Services

1. Oversees overall Training and Recruiting Section
2. Oversees Firearms Range

B. Uniform Services Division

1. Coordinates all patrol activities
2. Attends all meetings as required by their Division Commander

C. Investigations (Includes MCU, SVU)

1. Oversees the investigations function specific to their assignment
2. Attends all meetings as required by the Investigations Commander

D. Special Operations (includes Youth Services, SIU, GCU)

1. Attends all meetings as required by their Division Commander
2. Oversees investigations functions particular to their unit's assignments

406.16 Police Officer

A. Job Description [<Police Officer>](#)

B. Task Statements - The following statement of general tasks is based on type of job assignment:

1. Special Investigation Unit

- a. Investigate vice and narcotic complaints.
- b. Conduct and maintain surveillance of suspected criminal activity.
- c. Identify and apprehend criminal suspects involved in the possession, delivery and manufacture of controlled substances.

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- d. Interrogate and apprehend suspects to obtain intelligence on criminal activity.
- e. Cultivate and interview potential informants and witnesses concerning criminal activity.
- f. Be responsible to handle duties of designated “gang” investigator.

2. Criminal Investigation Unit

- a. Conducts comprehensive follow-up investigations related to felony persons or property crimes. Thoroughly documents with case reports.
- b. Monitor on-going criminal investigation case files.
- c. Monitor cases for forfeiture and seizure of assets gained through criminal activity.
- d. Develop operating plan for executing search warrants.
- e. Interview potential informants and witnesses concerning criminal activity.
- f. Identify and apprehend criminal suspects involved in persons and property crimes. Assist SAO with prosecution of criminal case.

3. Training

- a. Coordinate in-service training programs.
- b. Interact with the Firearms Instructors on Firearms Range maintenance.
- c. Assist in the orientation and training of probationary certified personnel.
- d. Interface with Agency instructors.
- e. Provide instruction on topics of expertise, or as certified.

4. School Resource Officer

- a. Authorized to make decisions in emergency situations.
- b. Implement Brevard County School District Homeland Security Directives.

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- c. Serve as liaison with courts and students involved with the courts.
- d. Serves as Case Manager when appropriate (active case file pending).
- e. Give legal direction to the administrative team.
- f. Baker Act students when appropriate.
- g. Handle criminal activity reports on campus.
- h. Supervise student activities.
- i. Designee for Administrative Felony Hearings.
- j. Coordinate with the Deans reference security process.
- k. In-Service faculty training on security issues.
- l. Criminal response liaison.
- m. Prepares and updates emergency response rolodex.
- n. Student instruction for Law Education.
- o. Student supervision and all other duties assigned.
- p. Give guidance to students with peer and relationship concerns.
- q. Organize community service projects for students of Youth Crime Watch.
- r. Traffic duties before and after school.
- s. Liaison between school and other officers.
- t. First line of defense for "Active Shooters".
- u. Perform all regular duties of a patrol officer.
- v. Attend training for SROs from School Board.
- w. Attend various committees and complete committee projects.

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5. Community Resource Unit

- a. Receive reports of ongoing problems referred by case report and evaluate for problem solving processes and projects.
- b. Create action plans; coordinate implementation of action plans; analyze and review results; recommend and coordinate changes and different strategies.
- c. Report results of action plans.
- d. Respond to specific crime or social issues.
- e. Participate in established citizen or neighborhood groups and associations; foster and help develop associations and/or crime watch groups where none exist.
- f. Actively develop partnerships with the business, commercial, academic and private elements of the community.
- g. Create and support crime prevention and community based programs and events.
- h. Liaison and work with other City departments and outside public agencies to respond to and help solve common problems.
- i. Support the Uniform Services Division in special events, and other programs promulgated within the division by other units.
- j. Conduct surveys of areas or neighborhoods to identify community concerns, crime, and social problems.
- k. Interact with patrol, investigative, and specialty unit officers to identify problems, obtain intelligence information, and research problems.

6. Youth Services

- a. Meet and conduct an initial orientation with all juveniles placed Probation or Home Detention by the Circuit Court.
- b. Monitor and conduct routine checks of juveniles on Probation to determine compliance with conditions.
- c. Initiate charging process on those juveniles not in compliance with probation conditions.

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- d. Work in partnership with the School Resource Officers to determine truancy activity.
- e. Conduct details and patrol locations to apprehend truant students.
- f. Attend court ordered staffing for Palm Bay juveniles to recommend program levels and detention.
- g. Assist Uniformed Services Division, Investigations and SROs in cases involving juveniles on probation.
- h. Participate and attend meetings representing the department on juvenile related issues.
- i. Participate in local Juvenile diversion programs.
- j. Participate in developing case plans for high at-risk youths for children In Need of Services/Family In Need Of Services programs to curb and prevent truancy, ungovernable behavior and runaway.
- k. Monitor issuance of TICO orders for juveniles in Palm Bay and apprehend wanted juveniles.
- l. Distribute to officers monthly expiration list (photos-conditions list).
- m. Monitor criminal gang activity and determine the effect on the City of Palm Bay and recommend department action to effectively curb such activity.
- n. Conduct follow-up on runaway cases in conjunction with USD or Investigations based on the status of danger to particular child.
- o. Serve as the Palm Bay Police Representative for Brevard County Juvenile Assessment Center Advisory Board.
- p. Monitor the juvenile criminal trends and develop recommendations for reduction of youth crime.

7. Field Training Officer

- a. Motivate, train and evaluate recruits in classrooms and on a one to one basis in a patrol setting.
- b. Provide a positive, non-stress learning environment

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- c. Responsible for the development of competent, solo patrol officers.

8. SWAT

- a. Handle tactical situations that exceed the capabilities of standard police resources: e.g. hostage situations, sniper incidents and barricaded subjects, etc.
- b. Execute search warrants and arrest warrants in hazardous situations.

9. Underwater Recovery Team

- a. Conduct underwater search, recovery or salvage of evidence, bodies or vehicles.
- b. Provide support service to the Fire Department rescue diving function.
- c. Recover and salvage submerged vehicles involved in accidents.
- d. Underwater recovery of property lost by accident, negligence, or for any other reason.
- e. Promote water safety to the public and enforce local, state and federal law.

10. Traffic Officer - Essential duties and responsibilities are consistent with that of a patrol officer; responsible for proactive traffic enforcement. Primary responsibility for traffic crash homicide investigations falls under the Traffic Officer.

11. Canine Officer - Respond to calls and provide canine assistance on calls for service. Services rendered are for: drug interdiction, tracking, building searches, riot control, area searches, and officer protection.

14. Background Investigator - Conducts interviews and background investigations on persons seeking employment in the Police Department.

- a. Processes certified personnel with the Criminal Justice Standards and Training Commission of Florida.
- b. Maintain documentation in support of the registrations

406.17 Police Officer-Non-Certified Recruit - Job Description [<Police Officer Non-Certified Recruit>](#)

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406.18 Police Programs Specialist - Job Description [<Police Program Specialist>](#)

406.19 Police Sergeant

A. Job Description [<Police Sergeant>](#)

B. Task Statements - The following statement of general tasks is based on type of job assignment:

1. Accreditation Management Unit

- a. Designated by the Chief of Police with "Functional Staff Authority" to provide direction to all members on the accreditation process.
- b. Provides direction to all members on the accreditation process.
- c. Develop, promote and enact procedures that are compatible with the achievement and compliance with accreditation standards set forth by The Commission on Florida Law Enforcement Accreditation, Inc. (CFA).
- d. Ensure compliance with directives is adequate to attain the desired goals of the Agency.
- e. Ensure directives conform to the law.
- f. Report to the Command Staff conflicting directives or amendments to directives that may affect another component's operation.
- g. Maintain the master set of all directives to include outdated or revised directives.
- h. Maintain all master forms used within the Agency. AMU will assign control numbers and update forms as needed.
- i. Ensure forms required by law or by external entities are incorporated and used properly.
- j. Maintain publications addressing specific issues related to Agency business.
- k. Maintain annual subscriptions for periodicals related to administration or procedures.
- l. Maintain legal reference materials and supplemental updates pertaining to the jurisdictions covering the Agency.

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- m. Oversee other Resource Centers maintained by other Divisions within the Agency.
- n. Perform research as directed by the Chief of Police.
- o. Ensure Agency resources are adequate to carry out the mission and those resources, personnel and material are being utilized to the fullest extent.
- p. Conduct in-depth staff reviews, biennially, of all major sections of the Agency.
- q. Maintain records of line inspection processes.
- r. Compile reports at the direction of the Chief of Police on all data received from staff reviews and inspections.

2. Criminal Investigation Section (Includes MCU and SVU)

- a. Review case reports from Records for possible investigative assignment.
- b. Assign, review, and approve cases for investigators.
- c. Schedule employees for duty as well as on-call coverage.
- d. Manage Crime Scene and Identification Units.

3. Special Operations Unit

- a. Responsible for confidential funds account and distribution.
- b. Responsible for monitoring confidential informant packets.
- c. Monitor on-going drug investigation case files.
- d. Responsible for coordinating undercover vehicles, management of fleet.
- e. Responsible for over site purchase of surveillance equipment.
- f. Work with multiple federal agencies: DEA, Customs, ATF as well as state and local agencies.
- g. Review search warrant packets.

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- h. Monitor forfeiture and seizure cases, develop probable cause.
- i. Develop operating plan for executing search warrants.
- j. Manage and account for confidential funds.

4. Internal Affairs Unit

- a. Conduct internal investigations of serious policy violations, corruption, and criminal offenses alleged to have occurred within the Department by members.
- b. Maintain statistical information on complaints filed with the Department and manage the Inquiry System.
- c. Conduct special investigations as directed by the Chief of Police.
- d. Maintain documentation of serious violations of policy or law by members of the Department and recommend changes to directives or other action to prevent future violations.
- e. Maintain member disciplinary action files as specified by the Florida Public Records Law and Records Management Rules regarding retention.
- f. Monitor investigations where a member is the victim of an offense that indicates retaliation for the performance of duty.

5. Training and Recruiting Section

- a. Plans and administers Section activities including certified and civilian recruiting, hiring and in-service training.
- b. Administer Department Firearm Range; oversee the Firearms Range and weapons inventory.
- c. Recommend lead instructors to Senior Staff.
- d. Ensure in-service training programs are conducted and attendance records are maintained.
- e. Coordinate with Division Commanders and Training Team on training programs conducted by the Agency.
- f. Serve as Training Team facilitator.

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- g. Interface with the Human Resources Department on hiring activity and processes.
- h. Recommend to Senior Staff candidates for sworn positions.
- i. Oversee Agency applicant background investigations.
- j. Perform duties as a police recruiter.
- k. Oversee the General Orientation program for all Agency employees.
- l. Administer the Orientation Program for Certified Personnel.
- m. Maintains liaison with the regional training academy at Eastern Florida State College.
- n. Oversee administrative issues relating to school requests and travel approvals.
- o. Administer the Agency's firearms range.
- p. Process purchases associated with the Unit including those related to the firearms range and armory.
- q. Develop and submit the Section's budget recommendations.

406.20 Police Public Information Officer (PIO)

- A. Job Description** - Under general supervision, performs responsible public information/relations work encompassing the Palm Bay Police Department. Work involve serving as liaison to the news media and the general public to provide information and respond to inquiries in accordance with the Florida's open government laws (Sunshine Law), including preparing news releases, social media posts, and Agency promotional materials. Reports to the Special Operations Commander.
- B. Task Statements** - The following statement of general tasks is based on type of job assignment:
 - 1. Answer inquiries from media representatives and/or the general public.
 - 2. Provides information based on detailed knowledge of the Agency.

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3. Provides information to media or public as appropriate or otherwise required in accordance with state Sunshine Law.
4. Promote awareness of Agency programs, policies and projects to both internal and external audiences.
5. Serve as conduit for distribution of information and educational materials to the public and all forms of media.
6. Prepares news stories, public policy statements, photos and supporting data for news media and social media.
7. Communicate with supervisor regarding work schedules, the status of assigned projects and progress towards meeting goals and objectives. This position may require the member to work a flexible schedule including evening hours and weekends.
8. Perform related work as required.

406.21 Communications Division Manager - Job Description [<Communications Division Manager >](#)

406.22 Records Section Supervisor - Job Description [<Records Section Supervisor>](#)

406.23 Records Specialist - Job Description [<Records Specialist>](#)

406.24 Secretary - Job Description [<Secretary>](#)

A. Task Statements

1. **Accreditation Unit** - The essential and general responsibilities of this position assigned to the Accreditation Unit fall under the City of Palm Bay Class Description: Secretary - City-wide. This position's focus is on providing support for the functions assigned to this Unit. Additionally, the position has been designated as the central repository for the collection and maintenance of Agency forms.
2. **Investigation Division** - The essential and general responsibilities of this position assigned to the Division fall under the City of Palm Bay Class Description: Secretary - City-wide. This position's focus is on providing support for the functions assigned to those Units and Sections under the umbrella of Investigations Division.

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3. **Uniform Services Division** - The essential and general responsibilities of this position assigned to this Division fall under the City of Palm Bay Class Description: Secretary - City-wide. This position's focus is on providing support for those Units and Sections under the umbrella of USD. Additional responsibilities include that of Court Liaison and validation of CJIS record entries.

406.25 Administrative Secretary - Job Description

1. **Executive Division** - The essential and general responsibilities of this position assigned to the Executive Section fall under the City of Palm Bay Class Description: The position's focus is on providing support for the functions assigned to this Section. This position has been designated as the Agency Awards Program Coordinator, Timekeeper, website liaison, and processes State Attorney fees for case dispositions and fees for municipal and county ordinances.

406.26 School Crossing Guard - Job Description [<School Crossing Guard>](#)

406.27 Telecommunications Shift Supervisor - Job Description [<Telecommunications Shift Supervisor>](#)

406.28 Telecommunicator - Job Description [<Telecommunicator>](#)

406.29 Training Coordinator – Job Description [<Training Coordinator>](#)

406.30 Victim Advocate - Job Description [<Victim Advocate>](#)

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Blood Borne Pathogen Exposure Control Plan		OM No: A415
Rescinds: OMA 415 Revised: 08/30/16		CFA 5th: Chapter 29
Revised: 01/26/18		
Reference: GO 415, OSHA Blood borne Pathogen Standard 29 CFR 1910.1030 and 112.181 FSS		
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415 Policy - It is the policy of the department to provide law enforcement services to the public without regard to known or suspected/diagnosed individuals of communicable disease.

- A. To regard all individuals' contacts as potentially infectious, "Universal Precautions" will be observed at all times and will be expanded to include all body fluids and other potentially infectious material (body substance isolation, BSI).

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- B. To provide all members with the necessary training, immunization and personal protective equipment (PPE) needed for protection from communicable diseases.

415.1 Purpose - The purpose of the Blood borne Pathogen Exposure Control Plan is to establish minimum guidelines, procedures and education to protect members from infectious diseases.

- A. The plan establishes safety precautions to be followed in handling evidence, property or materials, suspected of being contaminated by an infectious disease.
- B. The Occupational Safety and Health Administration (OSHA) has enacted the Blood borne Pathogens Standard, 29 CFR 1910.1030 to reduce occupational exposure to Blood borne Pathogens that members encounter in the performance of their duties.
- C. This exposure control plan meets two objectives:
 - 1. Protect members and
 - 2. Should an exposure occur, appropriate testing, treatment and counseling is provided.
- D. Palm Bay Police Department General Order [<GO 415>](#) sets forth the management of the Exposure Control Plan.

415.2 Definitions (As per Part 1910 of Title 29 of the Federal Regulation)

- A. **Blood** - Human blood, human blood components, and products made from human blood.
- B. **Blood Borne Pathogens** - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).
- C. **Contaminated** - The presence or reasonably anticipated presence of blood or other potentially infectious material on an item or surface.
- D. **Contaminated Sharps** - Any contaminated object that can penetrate the skin including, but not limited to: needles, scalpels, broken glass.

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- E. Decontamination** - The use of physical or chemical means to remove, inactivate, or destroy blood borne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.
- F. Exposure Control Officer** - The person designated to evaluate follow-up employee exposures to infectious diseases.
- G. Exposure Incident** - A specific eye, mouth, or other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an member's duties.
- H. Hand washing Facilities** - A facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machines.
- I. HBV** - Hepatitis B Virus.
- J. HIV** - Human Immunodeficiency Virus.
- K. Occupational Exposure** - Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.
- L. Other Potentially Infectious Materials**
1. The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.
 2. Any unfixed tissue or organ (other than intact skin) from a human (living or dead).
- M. Parenteral** - Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.
- N. Personal Protective Equipment** - Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

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O. Regulated Waste - Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed. Items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; i.e. contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials are regulated waste.

P. Source Individual - Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the member. Examples include, but are not limited to: hospital and clinic patients, clients in institutions for the developmentally disabled, trauma victims, clients of drug and alcohol treatment facilities, residents of hospices and nursing homes, human remains and individuals who donate or sell blood or blood components.

Q. Universal Precautions - An approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other blood borne pathogens.

R. Work Practice Controls - Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

415.3 Exposure Determination - The Agency has identified the following job titles and job tasks that involve employees who may become exposed to biohazardous materials. All members in this category will receive training on the Exposure Control Plan prior to assignment.

A. Job Classifications - Below are the job classifications in which **ALL** members have the potential to handle human blood and other potentially infectious materials, which may result in possible exposure to blood borne pathogens.

Job Title	Department/Location
Sworn Police Officers	Department Wide
Crime Scene Technicians	Department Wide
Material Management Specialists	Department Wide
Desk/Booking Specialists	Department Wide
Auxiliary/Part-Time Police Officers	Department Wide

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415.4 Universal Precautions - Universal Precautions are those methods used to reduce exposures.

A. Members will treat all human blood and body fluids as if they were known to be infectious - Body fluids include but are not limited to:

1. Semen.
2. Vaginal Secretions.
3. Cerebrospinal Fluid.
4. Pleural Fluid.
5. Urine.
6. Peritoneal Fluid.
7. Saliva.
8. Synovial Fluid.
9. Pericardial Fluid.
10. Any bodily fluid in situations where it is difficult or impossible to differentiate between body fluids.
11. Any unfixed tissue or organ (other than intact skin) from a human, living or dead.
12. Any body fluids contaminated with blood.
13. Breast Milk.
14. Vomit.
15. Amniotic Fluid.

B. Precautions Exception - Universal precautions shall be observed to prevent contact with any potentially infectious materials. The only exception to these requirements would be if the precautions would interfere with the proper delivery of public safety services in a particular circumstance, or would create

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a significant risk to the personal safety of the worker. For instance, a face shield/mask cannot be worn when providing mouth-to-mouth resuscitation.

C. Guidelines - Personnel should observe Universal Precautions whenever possible. Universal Precautions include considering all body fluids or high-risk persons as infectious prior to initiating contact.

1. Hands should be washed paying particular attention around and under fingernails and between the fingers. If hands or other skin surfaces accidentally come in contact with blood or body fluids they should be immediately washed with soap and water.
2. Gloves should be worn for contact with blood and body fluids (i.e. urine, stool, oral secretions, wound or other drainage), mucous membranes or other non-intact skin.
3. Gloves should be changed after contact with each person. Hands should be washed immediately after gloves are removed.
4. Gowns should be worn when the soiling of clothes with blood or body fluids is likely.
5. Masks and/or goggles should be worn when it is likely that eyes and/or mucous membranes could be splashed with blood or body fluids.
6. Discard uncapped needles, syringes and sharps in puncture resistant containers designed and labeled for this purpose.
7. Discard trash in the usual manner.

D. If significant exposure (needle stick, mucous membrane splash or contact to non-intact skin) to blood occurs, report to supervisor for evaluation and follow-up.

415.5 Establishing Appropriate Engineering

A. Police Department Facilities

1. Engineering and work practice controls will be utilized to eliminate or minimize exposure to all members. Where hazardous exposure exists, personal protective equipment shall be utilized. Members will utilize the following engineering controls:

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a. Personal Protective Equipment (PPE)

- Gloves - latex
- Mask with eye protection

b. CPR facemasks

c. Sharps containers

d. Bleach

e. Disinfectant spray

f. Antimicrobial towelettes

g. Red bags

h. Clean up supplies

- Soaking powder (solidifier)
- Scoop
- Red bag

B. Annual Evaluation - The department Safety Manager will conduct an annual review of the Exposure Control Plan with consideration for updating procedures designed to eliminate or minimize occupational exposure. A memorandum indicating the need for changes or no changes shall be provided to AMU no later than December 30 of each year.

C. Wash Hands - After removal of personal protection gloves, members shall wash hands, and any potentially contaminated skin areas immediately with soap and water.

D. Disinfection Precautions - Equipment shall be disinfected in a well-ventilated area. Should the interior of a vehicle become significantly contaminated with potentially infectious materials, decontaminate the vehicle, lock the door, place a bio-hazard sticker over the outside door locks, and notify their supervisor. Universal Precautions should be taken when disinfecting any equipment. Use gloves, facemasks, and any other protective gear to ensure your safety. Refer to Personal Protective Equipment section of this manual.

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1. Cleaning Area

- a. Sinks located in Department restroom facilities may be used as a cleaning site. The facilities shall have proper lighting and ventilation, and the drainage will be connected to a sanitary sewer system. The facility will be away from any areas used for food preparation and consumption. Members should ensure that these areas are cleaned and decontaminated with either a 10% bleach and water solution or departmentally supplied disinfectant and left in proper order after utilization.
- b. If there is a need for a significant clean up in these areas, it will be the responsibility of the member who has utilized the cleaning site to contact his/her supervisor. The supervisor shall contact an approved service contractor experienced in biohazard cleaning.

2. Storage Areas

- a. After use, place **ALL** cleaning materials (i.e., rags, paper towels, etc.) in biohazard marked **red bags**. The red bag and its contents shall, as soon as possible, be delivered to a Palm Bay Fire Department station and placed in a properly marked regulated hazardous waste container. Red bags may be delivered **ONLY** during those hours where fire department personnel are awake. Under no circumstances are fire department personnel to be woken during the night in order to dispose of a hazardous waste bag.
- b. Cleaning materials will be available in the Detention Facility cabinets and outside the Department rest rooms. The biohazardous clean up kit will include: latex gloves, masks, eye shields, gowns, soaking powder (solidifier), scoop, and red bag.
- c. Reusable materials such as batons, handcuffs, etc., will be disinfected after each use when exposed to potentially infectious materials by using a 10% bleach and water solution (which can be obtained from the housekeeping storage area) and then rinsed with hot water.

415.6 Implementing Appropriate Work Practice Controls

- A. **Handling Sharp Objects** - All members shall take precautions when on scene to prevent injuries from needles, scalpels, and other sharp objects. Contaminated sharps shall also include all objects that have been

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exposed to contaminants and have the potential for injuring skin. Some examples of "Sharps" include broken glass, edged plastic, teeth, needles, razor blades, scalpels, or any other object that has the potential to injure skin. All of the above should be considered infectious and handled with extraordinary care.

- B. Puncture Resistant Container** - Needles shall not be recapped, bent or broken. Following discovery, all sharp objects shall be placed in a puncture resistant container and then disposed of as required. The sharps container will be available in each police vehicle, as well as at the Police Department, and readily available for use. If evidence, the items will be treated as such. Regardless of the classification of the property, all sharps shall be maintained in a puncture resistant container.
- C. Prohibited Activities** - No eating, drinking, smoking, applying of cosmetics, or handling of contact lenses will be allowed when handling or cleaning up biohazardous materials.
- D. Wash with Soap** - If any member has sustained an exposure, the exposed area shall immediately be washed using soap and water. If soap or running water is not available, antiseptics or other skin-cleaning agents that do not require running water can be used.
- E. Care in Handling** - Bio-hazardous waste shall be handled with extreme care. Any hazardous waste that is capable of leaking shall be double bagged to insure that the material is isolated.

415.7 General Exposures

- A. Clean-Up Responsibility** - A general exposure occurs when potentially infectious materials are deposited in an area under public control (i.e.; governmental buildings, police stations, etc.). General exposure clean-up will become the responsibility of the employee. In the detention area, cleanup will be provided by the detention officers for minor incidents.
- B. Other Property** - If an incident occurs on private or public property, other than the police station, and police officers are on scene, it is the responsibility of the primary officer or investigator on scene to make sure someone from the property is present before releasing the scene to public access.
- C. Private Property** - Clean-up of significant contamination on private property (i.e. a homicide at a private residence, etc.) shall be the responsibility of the property owner. Palm Bay Fire Rescue will be summoned to the scene and determine if any further mitigation of the contaminate is required. The actual

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clean up and legitimate disposal shall be the responsibility of the property owner.

- D. Roadways and Public Areas** - When contamination of roadways or public areas occur, Palm Bay Fire Rescue will be summoned to the scene to determine if any further mitigation of the contamination is required. Unless the contamination is extremely large, pouring blood solidifier on the contaminant, and having Palm Bay Fire Department wash down the area is usually all that is required.

415.8 Using Personal Protective Equipment

- A. Don PPE** - Prior to contact with any persons with obvious injuries, open sores, weeping wounds, etc., personnel should don latex gloves, eye protection, splash guards and other protective gear covering all areas of abraded, lacerated, chapped, irritated or otherwise damaged skin. Care should also be taken to cover mucous membranes (eyes, nose and throat). Broken skin on personnel should be covered with a Band-Aid or other covering prior to reporting for duty.
- B. Clean Exposed Area** - Any member who has contact with another person's body fluids shall thoroughly wash the exposed area immediately, using water or saline on mucosal surfaces and soap and running water on skin surfaces. If soap and water are not available, alcohol, or other antiseptic skin-cleaning agents that do not require running water will be used until soap and water become available.
- C. K-9 Bite** - In the case of a K-9 bite, the handler will immediately clean the dog's muzzle of any blood or body fluids to preclude any possibility of accidental transmission via dog bite.

415.9 Infection Control Garments and Equipment

- A. PPE** - All personal protection equipment shall be provided to employees without cost. Latex gloves shall be single use, disposable, and sturdy enough to withstand the abuses during a one-time encounter with potentially infectious materials. Gloves used for cleaning shall not be cracked, chipped, peeling or leaking.
1. Contaminated PPE and uniforms that are not useable are to be disposed of in the appropriate manner. Secure items in red contamination bags with correct labels. These bags will be taken to Palm Bay Hospital ER and

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placed in contaminated barrels. There are also disposal barrels at the Pbfd. It is preferable to use the hospital's facility.

2. Uniforms and any personal clothing that are useable will be laundered by the officer. Contaminated laundry will be kept separate from family clothes and washed in hot soapy water.

3. As PPE is used, request replacements.

B. PPE Availability - Personnel engaged with potentially infectious persons shall use gloves prior to initiating contact, if possible, due to the variety of diseases, modes of transmission, and unpredictable nature of the work environment. Personal protection equipment shall be available in every patrol car and unmarked car. **This equipment shall be reviewed annually.**

C. Latex Gloves - Latex gloves shall be removed as soon as possible after termination of the contact. Take care to make sure that the exterior of the glove does not come in contact with your skin. Do not throw the gloves away by the side of the road or in public trash receptacles. Treat each protective garment as infectious biohazard waste and dispose of as prescribed. Use extreme caution around sharp and rough edges to reduce the chance of compromising the glove's protection. As soon as possible after gloves are removed, hands will be washed.

D. Use of Gloves - Gloves shall be worn at all times when disinfecting your equipment. Employees shall not eat, drink, smoke, apply cosmetics, lip balm or handle contact lenses while wearing gloves. When on a crime scene, each employee should double glove to reduce the chance of exposure or use heavier grade gloves.

E. Department Access to PPE - Appropriate personal protection equipment shall be present at all times in the Police Department, substation and vehicles that may potentially have to render aid to the public, or enter a crime scene. Personal protection equipment will also be available in pertinent areas of the Police Department. Prior to any aid situation during which large splashes of body fluids, (i.e.; childbirth, arterial bleeding or vomiting) may occur, the employee shall use, whenever practical, protective equipment such as a face shield, CPR mouth shield, splash resistant eye wear, gloves, etc.

F. Crime Scenes - All garments, which are contaminated, shall be removed immediately, or as soon as feasible. At a crime scene where potentially infectious material is present, two separate crime scene lines will be established. The line closest to the infectious material shall be secured with

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biohazard crime scene tape. Inside of the line will include all areas of contamination. A second line will be established. The area between the biohazard line and the second line will be considered the decontamination area. Everyone entering the decontamination area from the outside will don appropriate personal protection equipment before crossing the biohazard line into the crime scene. **Employees exiting the crime scene will remove all contaminated personal protection equipment before crossing the second line.**

415.10 Housekeeping (Cleaning, Disinfecting and Disposal)

A. Skin Washing - Skin surfaces not covered by clothing, protective clothing, or equipment, shall be washed vigorously for 60 seconds after each exposure to potentially infectious materials immediately upon being safe to do so. The skin surfaces shall be washed by soap and running water, but at the very least by using an antiseptic cleanser or non-water disinfecting procedure. Hands shall be washed after each exposure incident and after each equipment disinfections procedure. Skin cleaning will not be done in the break room.

B. Vehicles

1. Personnel who come in contact with potentially infectious persons and are required to transport them must become familiar with vehicle and work place decontamination procedures as outlined in this plan and departmental General Order [<GO 415>](#).
2. If a vehicle is slightly contaminated, properly decontaminate the vehicle, properly dispose of the contaminated clean-up material in a red biohazard bag and place the vehicle back in service. Employees will wear personal protective equipment during decontamination of the vehicle.
3. If grossly contaminated, deadline the vehicle using proper labels and signs and contact your supervisor for direction. **Significantly contaminated vehicles will be the responsibility of a trained contract clean up service.** The supervisor shall determine the need for contract services.

C. Disinfectants - All disinfectants shall be stored in the supply areas and will be made available for members' use on a 24-hour a day basis. Disinfectants will be used only in well-ventilated areas and while personnel are wearing appropriate protective gear. **No disinfecting will be done in the break room.**

D. Equipment

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1. When disinfecting equipment, the process shall be completed in a well-ventilated area. Prior to disinfection procedures, the contaminated materials will be stored away from any regularly inhabited areas, particularly food service areas, and the like. Disinfectants of the type described earlier will be used. Dirty or contaminated run off from the equipment shall be disposed of via a sanitary sewer.
2. Metal or electronic equipment shall be cleaned and then disinfected. Wipe down all metal and other non-porous surfaces with either a departmentally supplied disinfectant, or a ten percent (10%) bleach solution. Use only disinfectants that are approved and chemically compatible with equipment. Any reusable equipment that comes in contact with mucous membranes shall require cleaning and high level disinfection. Use only those chemical disinfectants that are compatible with the equipment being disinfected.

415.11 Disposal of Materials - (also see Storage Areas)

- A. Red Bags** - Unless needed for evidence, needles and sharps shall be disposed of the same as red bags containing contaminated items. The item will be labeled and delivered to a Palm Bay Fire Station or the Palm Bay Hospital ER and deposited in a hazardous waste material receptacle. Fire Department personnel are not to be awakened, during the night (See Section 5.3.1.). Disposal containers that are located at the Palm Bay Hospital ER may be used anytime.
- B. Biohazard Label** - Used disposable infection control garments shall be disposed of in leak proof red bags with the biohazard label affixed to the exterior. The materials shall be disposed of in a biohazard receptacle at a Palm Bay Fire Station or Palm Bay Hospital ER and considered infectious biohazard waste.
- C. Disposal** - When it has been determined by an on-duty commander that normally non-disposable items (i.e.: batons, handcuffs, etc.) cannot be disinfected, they shall be placed in leak proof bags, sealed, and disposed of as biohazardous waste, in the same manner described in B.

415.12 Post Exposure and Follow-Up

- A. Post-Exposure Evaluation** - An exposure incident means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of a member's duties.

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- B. Wash Area** - Any time members of the Department suffer an exposure incident, or suspect that they have been exposed to HBV, HIV or any infectious disease; they shall immediately wash any parts of the body that have contacted blood or any other infectious material. After washing, the member shall immediately notify their supervisor. The supervisor will ensure the exposure report form and notice of injury forms are completed. If it is a level II exposure, and the member elects to be examined, or a level III exposure, the on-duty commander/manager, or designee, will notify the designated medical facility and have the member respond as soon as possible to the medical facility for evaluation and treatment. The on-call risk manager shall be notified as soon as possible. The facility will complete a written evaluation of the exposure incident and advise the member on options available.
- C. Post Exposure Follow-Up** - Members determined to have suffered an exposure incident are required to have a confidential medical evaluation and follow-up. Members will be required to provide documentation to the designated medical clinic in the following forms:
1. Routes of Exposure
 2. Circumstances of Exposure
 3. Identification and documentation of the source individual unless identification is not feasible or prohibited by law.
- D.** Every effort should be made to obtain the source individual's consent to testing. Should the source individual consent to testing, a [<Medical Records Release>](#) Form will be completed. The source individual bears the cost of consensual testing. If source individual is at the Brevard County Jail, consensual testing will be done there.
- E.** Should the source individual refuse consensual testing, a [<Screening Affidavit>](#) signed by a Judge, is required. A [<Physician Sworn Statement>](#) will be completed by the member's attending physician prior to any non-consensual testing, and must accompany the Court Order when presented to the Judge. Fill-in-the-blanks [<Emergency Petition>](#), Court Order and Physician's Statement are available to expedite the process. All are enclosed with this plan. The member will be required to have a baseline test in conjunction with the Court Order. In the officer's Report and Arrest Affidavit (923.01) the officer will include that the source individual refused consensual testing.

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415.13 Labels and Signs

- A. Posted Signs** - Warning signs will be posted at the entrance of any and all work areas that contain potentially infectious materials, i.e. the CRIME SCENE room. The sign will consist of a biohazard symbol and any special protective equipment needed to enter the space.
- B. Labels** - Warning labels shall be affixed to the exterior of all containers holding potentially infectious materials including refrigerators, freezers, disposal boxes, and any other container used to transport biohazard materials.
- C. Biohazard Symbol** - The label will include the biohazard symbol and will be fluorescent orange in color (or other authorized color) with letters and symbols in a contrasting color. Labels shall be affixed to the containers to prevent loss or removal.
- D. Transports** - Warning labels are not required on all containers used to transport evidence directly from a crime scene, but must be affixed to the final package prior to submitting to the evidence section.

415.14 Training [<Exposure Control Training>](#)

- A. Members' Training** - Training information on blood borne virus infections must be provided to all members with potential occupational exposure. The training must take place **before** a member is assigned to potential exposure risk tasks and will be updated **biennially**. Affected members will receive annual refresher training. The training program will include the following components:
 - 1. Epidemiology and Symptoms of HBV and HIV.
 - 2. Modes of transmission.
 - 3. Explanation of the Exposure Control Plan which covers universal precautions, engineering controls, work practices, and protective equipment.
 - a. Information on HBV vaccine.
 - b. Explanation of exposure procedures and follow up.
 - c. Explanation of bio-hazardous waste signs and labeling.

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4. Training will be conducted by the Department Training Section about all of the content elements required by the OSHA standards 29 CFR 1910.1030 (g). The names, dates, persons, and job titles of those attending the training will be recorded. The Training Section will maintain the records for the duration of the member's employment with the City. Additional training will be done as personnel are transferred in and out of those affected assignments.
5. The training outline (plan) will be developed and maintained in the Training Section.

415.15 Record Keeping

- A. **Treatment** - The Department shall ensure that a member who has sustained an exposure will receive medical guidance, evaluation, and when appropriate, treatment as soon as practical. Also, appropriate and confidential post exposure counseling and testing shall be made available by the Risk Management Team from the City Attorney's Office.
- B. **Report** - All exposures shall be recorded in writing as soon as possible using a [Exposure Report Form](#) and [Injury Report Packet](#) (if applicable) to allow for efficient follow up. Included in the record shall be a description of the tasks being performed when the exposure occurred, the mode of transmission, the entry portal, and the infection control equipment or garments worn at the time. Members going to a medical facility shall also complete the Pre-Hospital Exposure Report Form and carry the form to the treatment facility.
- C. **Prohibited in Performance Evaluations** - Exposure Report Forms and Notice of Injury are **confidential** and will not be used in completing any evaluations for any members.
- D. **Dissemination** - The reports involving an exposure incident shall be disseminated as follows:
 1. The original exposure report will be returned to the department Safety Manager who will forward the report to the Risk Management Team in the City Attorney's Office for placement in the members' confidential medical file.
 2. The **second copy** (yellow copy) of the Exposure Report Form and a **copy** of the Notice of Injury Form will be delivered to the designated medical center or emergency room with the member who has sustained the exposure, if medical treatment or advice is sought.

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3. The **third copy** (pink copy) of the Exposure Report will be provided to the member.
- E. Public Records Exempt** - The record of exposure shall not be considered public record, but part of the members confidential medical file.
- F. The Risk Management Team in the City Attorney's Office** - Shall be responsible for all record keeping concerning Pre-Hospital Exposure Forms, Notice of Injury Forms, vaccinations, medical files of exposure victims, post exposure evaluation, follow up, and any and all documentation as required by OSHA Standard CFR 29 1910.1030 (h).
- G. Confidentiality** - All medical records must be kept confidential and should include the members' social security number, HBV vaccination status, all examinations, follow up procedures, written opinion, and pertinent information resulting from exposure follow up. Records will be made available to employees, with written consent of the member, their representatives, and OSHA/State of Florida officials as required by law. Records will be maintained for the duration of employment plus thirty (30) years.

415.16 Hepatitis B Vaccination and HIV Tests

A. Vaccinations

1. The provider of all vaccinations shall be by a licensed Health Care Professional.
2. Initial vaccinations shall be made available after receipt of infectious disease training and within ten (10) working days of initial employment, or subsequent assignment to a position with occupational exposure. New members will be given the Hepatitis B vaccination information and options during the orientation process.
3. Hepatitis B Virus (HBV) vaccinations shall be made available, at the **no cost to member**, for all sworn officers/designated members of the police department who have any possibility of exposure to blood and other potentially infectious materials. The immunization and all steps required will be coordinated by the police department Safety Manager through the Training Section Lieutenant, who will forward member requests for vaccinations to Human Resources. A Health Care Professional will administer the initial vaccinations. The member will initiate contact with the provider to schedule appointments. All designated at risk employees shall have access to the vaccination program against hepatitis B.

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4. A City of Palm Bay designated medical clinic or provider will provide support in the following areas:
 - a. Vaccinations RELATED TO EXPOSURES
 - b. Post Exposure Evaluation
 - c. Post Exposure Follow-Up
 - d. Post Exposure Medical Record Keeping
5. Each at risk employee will elect one of the following options:
 - a. Accept the hepatitis B at no cost to the member.
 - b. File a copy of the declination to accept immunization with Human Resources. [<Consent Decline Hepatitis B>](#)
 - c. If previously vaccinated, file a copy of declination to accept immunization with Human Resources. Proof of vaccination including the dates of vaccination should be included if available.
6. If a member declines the immunization and later changes their mind, they are to be vaccinated at no charge to the member.
7. **It is important that members complete the vaccination series once started according to the prescribed schedule in order for the vaccine to give effective protection against the virus. It is the member's responsibility to complete the program.**
- B. HIV Tests** - Members of the Department will not be tested for HIV on a routine basis. However, if a member suffers an exposure incident, the test may be conducted at the member's request. The results of these tests will be held confidential.

415.17 Blood Borne Diseases

- A. Hepatitis** - "Hepatitis" means "inflammation of the liver". It may be caused by viruses, chemicals, drugs, autoimmune diseases, and a number of other conditions. The infections that cause hepatitis are many; most are caused by viruses, and it is this viral hepatitis that is the object of recent concern. The

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symptoms of hepatitis include jaundice (a yellow-green coloring of the skin or eyes), pain in the "stomach" or abdomen, fatigue and diarrhea.

1. Among the viruses that cause hepatitis are hepatitis A and hepatitis B, previously called "serum hepatitis", which is a major blood borne disease. Other less common blood borne hepatitis viruses, include the so-called "delta" virus, hepatitis C (previously non-A, non-B hepatitis), hepatitis D, and hepatitis E.
2. Some of these viruses are more important than others for the first responder.

B. Hepatitis A - Hepatitis A is known as Infectious Hepatitis. This disease is often associated with fecal contamination of water and is spread person-to-person through poor sanitary habits and the intake of uncooked food or unclean water. It takes about 15-50 days to develop symptoms of Hepatitis A after exposure, and symptoms usually disappear even without treatment about two weeks later. This illness is most commonly seen among children and young adults, and outbreaks are not uncommon at camps or military posts. While a vaccine is presently under development, anyone exposed to Hepatitis A can be given a shot of immune globulin (IG) to prevent infection. Although this is the most common type of viral hepatitis, it should not be a problem for most first responders, unless their meals are prepared by an infected person.

C. Hepatitis B - Hepatitis B is by far the most important occupational blood borne disease in first responders today. Persons infected with the hepatitis B virus run the risk of developing severe health complications, including becoming a hepatitis B carrier, developing cirrhosis, liver cancer, liver failure, and death. Blood infected with the hepatitis B virus is much more infectious than HIV infected blood, and the proportion of the United States population infected with hepatitis B is much higher than the proportion infected with HIV.

1. Hepatitis B is spread in much the same manner as HIV virus, through sexual relations, sharing needles, or contact with blood and other body fluids. In the past, this disease has been passed through blood transfusions, but now all blood is rigorously screened for Hepatitis B before it is given to patients, and those with the illness are not allowed to donate blood. Several groups are noted to have a high risk of Hepatitis B, including parenteral (IV) drug abusers, heterosexuals with multiple partners, homosexual men, clients and staff institutions for the mentally impaired, prisoners, and patients of hemodialysis centers.

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2. Vaccination is the best defense against contracting hepatitis B. Once exposed to the virus, it may take as long as 45-160 days to develop the disease. However, studies show that most people who are vaccinated develop protective antibodies against the virus. If you are exposed, it is a good idea (and will be an OSHA requirement) to have blood drawn as soon as possible to determine your **baseline serologic status**, that is, whether you have protective antibodies (since these take several weeks to develop, blood drawn immediately after exposure will not develop antibodies as a result of that exposure right away). If you do not have protective antibodies, your physicians may decide to give you the vaccine. You also may receive Hepatitis B Immune Globulin (HBIG), which provides some additional level of protection through what is sometimes called "passive immunity". Ultimately, however, the hepatitis B vaccine is a safe, highly effective method of protecting one's self from contracting hepatitis B on the job. This vaccine is recommended for all first responders and those employees who may come in contact with contaminated items and people.
- D. Hepatitis C** - Hepatitis C is not nearly as common as hepatitis B, but it is similar in its effects and in how it is spread. A blood test for hepatitis C antibodies has recently become available, as more and more cases of this increasingly common disease are surfacing. It is approximated that the chance of contracting HCV as a health care worker is about 4% whereas HBV presents a 20% to 40% risk. In the general population hepatitis C has been accounting for a large number of deaths from cirrhosis and chronic liver disease. It has been associated with blood transfusions, and members may come into contact with groups of the population who have hepatitis C.
- E. Hepatitis D** - Hepatitis D is a variant of hepatitis B. It is similar in its characteristics, but as a disease it is much less common. There is a blood test available to detect HDV, but the hepatitis B vaccine will protect against hepatitis D virus as well.
- F. Hepatitis E** - Fortunately, hepatitis E has not yet spread around the United States. It is found in other parts of the world, including Mexico, and has been seen in U.S. travelers returning from some of these countries. It is most common among young and middle-age adults, and there is no vaccine available. However, it is similar to Hepatitis A and can be prevented in the same ways.
- G. Prevention Strategies** - At risk members are at risk of exposure to any of these types of viral hepatitis. Hepatitis A and B are the most common risks. The vaccine for hepatitis B will protect against both hepatitis B and D. Following the new guidelines in OSHA's standard for Occupational Exposure to Blood

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borne Pathogens, at risk members lessen their risk of contracting hepatitis C, any other viral hepatitis, and even AIDS.

H. Human Immunodeficiency Virus (HIV) - Human immunodeficiency virus (HIV) is the virus responsible for the Acquired Immunodeficiency Syndrome (AIDS). AIDS was first recognized in the U.S. in the early 1980's, when two unusual diseases (Kaposi's sarcoma, a type of cancer, and Pneumocystis carinii, an organism that causes pneumonia in people with impaired immune systems) began to appear in homosexual men. Since that time, our understanding of the disease has progressed rapidly, although measures to prevent the spread of the disease have lagged behind. It is not an understatement to say that AIDS is the most serious public health threat the world has seen in the past 50 years. There is no part of the U.S., or the world, for that matter, that can be considered "safe" from the threat of HIV and AIDS.

1. HIV is a virus of the type known as retro viruses. These viruses infect certain cells in the body, incorporating their viral genetic material into the cell's own DNA. The body's cells then begin to produce the virus, and in the process, may themselves be killed.
2. In the case of HIV, this virus infects only selected cells in the body, of which the most important are certain infection-fighting white blood cells known as lymphocytes, specifically those lymphocytes known as "helper cells" (which can be identified because they carry a marker called "CD4"). HIV can also infect certain cells in the nervous system.'

I. Transmission of HIV - HIV has been found in several body fluids, including blood, semen, vaginal secretions, saliva, and tears. However, there is no evidence that HIV can be spread by casual contact with someone infected with HIV, or through contact with saliva or tears. At this point, it is fairly well established that HIV is spread through direct contact with blood or blood products, semen, or vaginal secretions, and is acquired through "high-risk" activities including sexual intercourse (vaginal or anal), direct injection of contaminated blood by transfusion or the use of contaminated needles, or contact with contaminated or blood products. In addition, HIV may be transmitted from a mother to an offspring either through transmission directly to the fetus before it is born, or through breast-feeding with infected breast milk.

1. Occupational transmission occurs primarily through accidental injection from contaminated needles, although there have been cases of contamination occurring through splashes of mucous membranes with contaminated blood.

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2. In contrast to hepatitis B virus, which is easily transmitted, studies of health care workers have consistently shown that the risk of becoming infected with HIV after a needle stick is very small, less than 1 percent, and the risk of transmission by splashing of mucous membrane is even less.
 3. Although there has been considerable public concern expressed over the potential for infected health care workers, there is only one documented case of a health care professional infecting his patients (a dentist in Florida). Several ongoing studies by the Centers for Disease Control have failed to find any other such cases, even among infected surgeons.
- J. Testing for HIV infection** - HIV infection can be detected, even in asymptomatic individuals, with a blood test. The first, more sensitive test detects human antibodies to HIV through a test known as an ELISA. Ordinarily, this test will detect infections in almost every person infected with HIV, with two exceptions. The first exception is, individuals with recently acquired infection may take up to six weeks to produce enough antibodies to produce a positive ELISA. In addition, patients with late stage clinical HIV may have a decrease in antibodies and have a negative test.
- K. Infection with HIV** - HIV infection progresses through several stages, from an asymptomatic infection to the condition known as AIDS. AIDS is the most severe form of the infection and at the present time has been uniformly fatal.
1. Acute HIV infection is a flu-like illness that usually occurs shortly after initial infection with HIV.
 2. It may be so mild as to be undetectable, and many individuals with HIV infection will be unable to remember any illness associated with their initial exposure.
- L. HIV Exposure, Detection, and Prophylaxis** - Following an exposure to blood or blood products (or other potentially infectious materials) contaminated with HIV, the exposed individual should have blood drawn to determine his or her baseline HIV status.
1. The development of antibodies following infection usually takes a few weeks to several months, and 95% of people who become infected will develop antibodies within 5 months.
 2. Thus, after exposure, a physician will determine the best time to draw additional blood to see whether "seroconversion" has occurred.

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3. The shift to seroconversion assumes the baseline test showed the exposed individual as not already infected.
4. At all stages, testing should be accompanied by a discussion with a counselor and the employee, indicating why the test is done, its limitations, and its implications.

M. Herpes Simplex - First responders may repeatedly come in contact with the Herpes Simplex Virus (HSV). HSV infections are among the most common maladies affecting humans. The Herpes Simplex Virus family is responsible for illnesses such as chicken pox, infectious mononucleosis, and the common fever blister or cold sore. Genital herpes is also an infectious disease caused by the HSV Type II virus, but is not considered an occupational concern for first responders.

415.18 Airborne Diseases

A. Tuberculosis - Tuberculosis is a disease caused by a family of organisms known as Mycobacteria. The disease commonly known as tuberculosis (TB) is caused by one species of Mycobacteria, called Mycobacterium tuberculosis (M. tuberculosis). Other members of the Mycobacterium have been found to infect people with compromised immune systems such as AIDS or cancer patients on chemotherapy. These organisms (Mycobacterium avium intracellulare, Mycobacterium kansasii), ordinarily pose no risk to normal individuals.

1. Tuberculosis is transmitted by individuals with active infection through airborne **respiratory droplets**, produced by coughing, sneezing, or even talking. These respiratory droplets can survive suspended in the air for several minutes, particularly if there is poor air circulation, so that the person with TB does not even have to be in the room for the air to be infectious. However, in circulating air the number of infectious respiratory droplets quickly drops off. The TB germs are also killed by sunlight and ultraviolet light.
2. **Tuberculosis testing** - The most effective means of controlling tuberculosis is through early detection and treatment. Tuberculosis exposure is detected through a test known by its initials, "PPD" (which stands for Purified Protein Derivative), or sometimes, "Tuberculin test". In this test, a small amount of purified TB protein (which is not capable of causing disease) is injected just under the skin. If the body has been exposed to TB previously, the immune system will recognize and attack the protein, causing localized redness and induration. The test is read by a

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nurse or physician after 48-72 hours, and the results interpreted as positive, negative, or indeterminate. If the test is positive, the individual has most likely been exposed to TB at some point, and appropriate recommendations are made by the physician.

- a. A case of tuberculosis must be reported to the state Public Health department. However, the employee's right to privacy is protected as in other cases of reportable illnesses.
- b. It is important to realize that people who have a positive skin test to TB, but who do not have active TB, do not pose any risk to others. In addition, after an initial period, even individuals with active TB who are undergoing appropriate therapy are non-infectious.

B. Influenza - Influenza is a yearly concern of health professionals as it is a constantly changing and highly infectious virus. The illness commonly associated with influenza is better known as "The Flu". Most often present in the fall and winter months, the flu can reach epidemic proportions in many geographic areas and communities. It is generally believed that the influenza virus is commonly spread through respiratory droplets of an infectious person. This person-to-person transmission of the virus can occur through respiratory aerosols produced by coughing, sneezing, and talking. A single infected individual can transfer the virus to a large number of susceptible persons.

1. The flu usually presents itself suddenly with chills, followed rapidly by fatigue, headache, and generalized myalgia. Fever, cough, and viral upper respiratory infection also accompany this illness. The flu tends to last 24 hours to several days.
2. Emergency responders should protect themselves from this seasonal virus through yearly shots of the flu vaccine. While the vaccine cannot provide absolute immunity due to the virus' ability to constantly mutate, it can provide some measure of protection.

C. Mumps - Mumps is primarily a disease of childhood. However, it does occur in adolescents and adults. Although mumps has been controlled through vaccination, its presence within society still lingers. Mumps is usually characterized as an acute viral disease with fever, swelling and tenderness of the salivary glands.

1. Mumps has been controlled through vaccination of young children, but the greatest risk of infection has now shifted towards older children and young

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adults. Individuals born before 1957 tend to be naturally immune through previous exposures, despite not having had clinical disease or vaccination.

2. Mumps is most common in the winter and spring months. Mumps is commonly spread by droplet infection and through the direct contact of saliva of an infected person. The incubation period of the disease ranges from 2 to 4 weeks. Mumps can be prevented through vaccination, which is usually provided to the individual as a child.
3. If an emergency responder or at risk member has been exposed to the mumps virus, he or she should be quarantined until medical evaluation has been completed. Likewise, due to the high infectivity of the virus, all other susceptible individuals within the work environment should be medically evaluated and provided vaccination if indicated.

415.19 Soil Borne Diseases

- A. Tetanus** - Tetanus is an acute disease produced by spore forming bacteria commonly found in soil, street dust, and animal or human feces. The spores are introduced into a wound, laceration or puncture and start to produce a highly toxic material that causes painful muscular contractions and rigidity, usually within 14 days of infection. The disease can be fatal if untreated.
- B.** Tetanus can be prevented through proper immunization. If a police officer, firefighter or other emergency response personnel has received a wound from a soiled object he or she should attempt to cleanse the wound immediately and report this as soon as possible.
 1. An examining physician will determine the time since the individuals' last immunization. A booster shot of Td anti-toxin should be given every 10 years.
 2. If the police officer or firefighter sustained a significant or contaminated wound he or she should receive an additional booster shot, if a tetanus toxoid shot has not been received within 5 years prior to the injury.

415.20 Vector Borne Diseases

- A. Lyme Disease** - Lyme disease is an infectious disease spread by ticks. In general, it is not of concern to first responders, but since it is a risk for outdoor workers, it is included here.

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1. The disease is spread to humans through the bite of a tick. The disease has several stages, starting with a characteristic rash proceeding (if untreated) to a flu-like illness within days or weeks. Finally, there can be long-term effects including persistent arthritis and effects on the nervous system.
2. Those at risk for Lyme disease are individuals who are at risk for exposure to ticks, including outdoor workers in areas with woods and fields precautions, including appropriate clothing and use of tick repellants. In addition, it is important to know that Lyme disease can be successfully treated even in its late stages, so seeking medical attention can be valuable even long after an exposure.

B. Scabies & Lice - Scabies and lice are classified as parasitic diseases of the skin caused by mites and lice. In Scabies, the mites penetrate the skin by digging burrows. The mite lays its eggs underneath the skin causing intense itching. It is this intense itching that causes the greatest problems for an infected individual. The itching can lead to dermal lesions, which in turn can become infected.

1. Scabies is quite common, especially in crowded areas of poor sanitation. The mite is easily transmitted through skin-to-skin contact and it is not particular as to its host.
2. Lice infestations (called "pediculosis" in medicalese) are caused by small parasites that live entirely on humans. The female lice hold on to skin or hairs and lay their eggs (nits). Both the adults and the immature larvae feed on human blood, and the small bites from the lice are intensely irritating. The bites cause the individual infested to repeatedly scratch which can lead to secondary infections. It is important to treat all potentially infected sources to eliminate re-infection.

C. Rabies - Rabies is rare in the United States and Canada. It is known to be primarily a disease of animals. If a police officer or firefighter is bitten or scratched by a wild animal or stray domestic animal he or she should seek medical evaluation immediately. The wound also should be attended to immediately with a thorough cleaning and flushing. The animal should be isolated by the proper agency for evaluation of the presence of the rabies virus.

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Subject: Scenario Training	OM No: B405	
Rescinds: OM B405 Revised: 03/18/09	CFA 5th:	Revised: 09/08/16
Reference: “Simunition Supervisor Training and Safety Course” Student Guide, Revision 5, January 2002. Scenario Training Safety Brief.		

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405 Purpose

- A.** Scenario based training has been determined to provide the most realistic and effective method of instructing, evaluating and remediating officers skills, tactics and decision making in the performance of their duties.
 1. This training is enhanced when there is an emphasis on stressful conditions as seen in Force-on-Force encounters. History has revealed that training and knowledge have greater value and are retained longer when learned in simulated circumstances and under stress.
 2. The scenarios should reflect a complete range of situations and outcomes, and therefore, should not always result in a simulated lethal encounter.
 3. Use of simulated weapons (i.e. Simunitions firearms loaded with FX Marking Cartridges and Airsoft) will provide for added realism in all scenarios.
- B.** Scenarios will allow officers to respond at any level throughout the Use of Force Continuum. The use of marking cartridges by combatant role players will provide an immediate recognition by physically feeling hits and paint markings that easily identify them. There is a pain penalty for tactical errors made by participants that will reinforce teaching points more effectively than previous training methods. Officers should be instructed to continue engaging in the scenario even if a marking cartridge hits them. This is to instill a

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winning mindset and not train them to “fall when hit” which could have fatal consequences in a real incident.

405.1 Definitions

- A. Simunitions** - A brand name for a product line of training equipment that includes both non-lethal and lethal training ammunition, weapons conversion kits, and safety equipment.
- B. FX Marking Cartridges** - Non-lethal paint marking training ammunition produced by Simunitions and designed to be chambered and fired from a weapon that is either designed (Glock 17T) or converted (a regular firearm with a conversion kit, AR-15, shotgun, or any number of pistol models) to fire this training cartridge.
 1. It is classified as “reduced energy” ammunition that travels at approximately 400 feet per second, and is accurate to six inches at 25 feet.
 2. It is currently available in six different colors (red, white, blue, green, yellow, and orange).
 3. FX cartridges should not be fired in non-converted weapons as the smaller caliber projectile may tumble and become lodged in the barrel of a standard weapon.
 4. FX cartridges come in six colors to aid in identifying which participants/role players shot whom or missed.
- C. CQT Cartridges** - Live lethal ammunition designed to be fired from the same converted firearm as FX Marking Cartridges. The projectile is solid, black in color and is made of a polymer. It travels at approximately 800 feet per second and is capable of penetrating up to two inches of flesh. This ammunition was developed to allow for realistic firearms training in areas where conventional range facilities are not available using converted firearms.
- D. Simunitions Converted Firearms** - Standard live weapons that have been altered to chamber Simunitions FX or CQT cartridges by means of a conversion kit. *Simunitions/SNC Technologies will not guarantee that a live round cannot be chambered in a converted weapon; they only state that the conversion kit will “preclude” the loading of standard, live ammunition.* Any converted firearm shall be clearly marked with bright blue tape conspicuously applied to make the weapon clearly identifiable in the training environment as

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being converted for Simunitions use only. (*FX cartridges are NOT to be used in standard, non-converted duty firearms as part of the cartridge may lodge in the barrel creating an obstruction.*)

- E. Glock 17 T** - A firearm manufactured by Glock that is dedicated for sole use as a training tool to be loaded only with Simunitions ammunition. This firearm and its magazines are readily identifiable in the training environment as the frame of the gun and butt pad of the magazines are bright blue in color.
- F. Simulated Knives** - Blank blades, trainer knives, etc
- G. Inert Taser Cartridges** - Cartridges using monofilament line as opposed to wire. These cartridges have shortened probes with barbs designed to hit and stick into a padded suit or insulated coveralls. These cartridges perform the same function for the Taser as FX cartridges do for firearms - detecting marksmanship errors under the stress of threat or combat.
- H. Inert Chemical Agents** - Simulated chemical agent sprays that propel inert liquid - an alternate being used in training is Silly String. It will indicate accuracy and a role player can continue resistance until being sprayed in the mask.
- I. Training Intermediate Weapons (batons, etc)** - padded batons either commercially manufactured or constructed from PVC pipe and pads.
- J. Airsoft** - A special type of air gun that fire spherical projectiles of many different materials, including, but not limited to plastic and biodegradable material. This is achieved by a technical solution of compressed gas. The cycling mechanism is implemented by either compressed gas (such as Green Gas or CO2) or by compressed air (via a spring or an electric motor pulling a piston) used to propel the BB's out of the barrel. Even though airsoft is considered a toy gun, safety precautions should still be taken into account when playing with these replicas.

405.2 Safety Equipment

- A. FX cartridge projectiles** are .30 caliber and leave the barrel at around 400 fps. The following safety equipment is **mandatory**:
 - 1. Helmet/ full-face mask** - Rated to ANSI Z87.1 or higher. Masks should be tested prior to wear by firing FX cartridges into them to test durability (not while worn).

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2. **Neck/Throat Protector** - Simunitions brand or rated to stop .30 cal projectiles at 400 fps.

3. **Long sleeve shirt/pants** - To prevent welts/abrasions from cartridges or falls.

a. The following equipment is highly recommended:

- Gloves - to protect exposed skin.
- Groin protection - athletic cup or protection worn outside clothing
- Reflective vests for safety personnel and non-participating observers

B. Airsoft guns shoot projectiles that are painful when they hit exposed skin. Because the projectiles travel at high speeds, protective gear must be worn to avoid serious injuries. The following safety equipment is recommended:

1. Hat
2. Eye protection (mandatory)
3. Lower face protection
4. Long sleeve shirt/pants

** Members reporting to training without proper safety gear will not be allowed to participate in the training exercise.

405.3 Scenario Development & Instructions/Script

A. **Scenario Script** - The details of the scenario shall be articulated in writing prior to the initiation of training, including the primary training objective(s) and the scenario overview. The specific goals of the training, equipment and personnel needed, and particulars of the site should be clearly stated to avoid confusion or poorly administered training. Role players will be given clear instructions for their verbal interaction and the level of resistance or compliance for the given scenario. Role player ad-libbing is discouraged. A library of scenarios should be developed and cataloged to aid in documenting each training evolution, desired actions by the students, and the criteria for

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success or failure in responding to the scenario. A template for this script will be available from the Training Section.

B. Scenarios - Do not make scenarios impossible or “un-winnable.” Training scenarios should evolve from simple to complex (crawl, walk, run).

C. Location

1. Training Site Zones - The site should allow for three definitive zones with controlled access points separating each:

a. The Unsafe Zone - Where live weapons, ammunition, etc are stored during scenario training (i.e. a parking lot, storage trailer, etc). Participants should not be permitted to wander between zones and should be checked on return to the training site if they leave.

b. The Semi-Safe Zone - Where briefings are held and training gear is stored. Should be physically separated from Safe Zone, and clear of impact from rounds fired in Safe Zone

c. The Safe Zone - Where the scenarios take place, there shall be no lethal weapons or ammunition. Participants (or guests) should be checked prior to entering the Safe Zone and all should be utilizing the proper personal safety gear.

2. The training site must be inspected immediately prior to use by the Training Safety Officer to ensure that there are no existing safety hazards to participants and there are no unauthorized personnel present and at risk.

3. Site selection should take into consideration the physical makeup of the site to keep the scenario training area free from any unauthorized personnel.

4. Security personnel shall be in place to prevent unauthorized persons or anyone that has not been inspected for weapons into the training environment. When appropriate, barrier tape will also be posted to seal this area.

D. Personnel, Assignments, and Roles

1. Training Officer In Charge (TOIC) - Responsible for setting up and running scenarios; will work closely with the TSO and Training Section

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representatives to ensure the safety of participants while focusing on achieving the training objective; responsible for giving evolution brief and debrief; an assistant may be used to help with debriefs in the interest of preventing down time. TOIC may be an active participant in the scenario.

2. **Training Safety Officer (TSO)** - SOLE responsibility is to ensure the safety of all scenario personnel; should be a person of rank, or given positional authority for the duration of the training session; will read the Safety Brief in full and advise on the emergency plan in the event of an accident or injury;
 - a. TSO will conduct pre-scenario personnel and equipment inspections and is accountable for verification of training ammunition and props to be used.
 - b. The TSO or his designee (one person) will supervise the inspection, handling and loading of all training ammunition. (Ammo should **not** be handed out to participants for loading their own weapons.)
 - c. This same individual will issue and take receipt of training weapons at the start/end of each evolution of training.
 - d. It will be the TSO who designates when the range will be called "Hot" (to commence training) or "Cold" (to cease training) and is responsible for training area security.
 - e. The TSO is an inactive participant of the scenario and shall not engage in the training or assessment during the training.
3. **Role Player(s)** - Have the greatest influence on whether training is successful or not, must be able to follow instructions and adhere to the plan and goals designated in the scenario; must exercise good judgment and self-control; personnel that will refuse to "die" or only desire to defeat participants will negatively impact training goals.
4. **Participants/Students** - All personnel assigned to train must be equally included in scenarios - a lack of participation should be documented; must understand that all live, lethal weapons must remain in the Unsafe Zone and cannot be introduced into the training environment; must also be briefed to not abuse role players during scenarios. They should be encouraged to perform as they see necessary and not narrate (i.e. do not say, "I would" but rather perform the task and get feedback later). All

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participants should be well hydrated and immediately notify any training representatives of fatigue, cramping and/or possible heat exhaustion.

5. **Camera Operator** - It is highly recommended that training scenarios be videotaped for participant feedback and documentation of training administered.
6. **Range Guards** - May be posted as needed to prevent unauthorized or unsearched personnel from entering the Safe Zone.
7. **VIP's, Administrators, and Guests** - Must also undergo inspection for live lethal weapons prior to entering training site and wear all mandatory safety equipment while scenarios are in progress.

E. Procedures

1. **Scenario Execution** - All participants within the Safe Zone will wear personal protective gear, to include Simunitions helmet, neck protector, and long sleeves/pants to prevent exposed skin. Groin protection is highly encouraged.
 - a. Inspection and safety gear issue
 - b. Briefing on Airsoft pistols and rifles
 - c. Briefing- to include only FX marking cartridges to be used in Glock 17T and converted long rifles
 - d. TSO declares training site "HOT"
 - e. Commencement of scenario
 - f. TSO declares the training site "COLD"
 - g. Debriefing
 - h. Weapon and equipment return
2. **Heat/Hydration** - Training Unit representatives, coordinating with the TOIC and TSO, will monitor the heat index during scenarios. It is recognized that prolonged exposure and/or physical activity may pose a hazard to participants during certain conditions of temperature and relative

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humidity. Breaks should be taken as needed and participants should maintain personal hydration.

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Rescinds: OMB 406 Revised: 05/30/18	CFA 5th: Chapter 12	Revised: 08/29/18
Reference: GO 406		

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406.1 Purpose

- A.** Performance evaluation is the measurement of an officer's on-the-job performance of assigned duties by the officer's supervisor. The objectives of evaluations are to:
1. Foster fair and impartial personnel decisions.
 2. Maintain and improve performance.
 3. Provide a medium for personnel counseling.
 4. Facilitate proper decisions regarding probationary members.
 5. Provide an objective and fair means for measurement of individual performance in accordance with prescribed guidelines.

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6. Identify training needs.
- B. The Agency recognizes the importance of maintaining records of an officer's work product and habits. When completed at regular intervals, it permits for positive feedback to the officer as well as a forum to coach and counsel if necessary.
 - C. The purpose of this operating manual is to provide guidelines on standards of performance and rating criteria for sworn officers, sergeants and lieutenants only.

406.2 Responsibilities

- A. In order to evaluate raters regarding the fairness and impartiality of ratings given, their participation in counseling members and their ability to carry out the rater's role in the evaluation system, their supervisors will review and sign all evaluation reports.
- B. Each member will be given the opportunity to sign the completed report. The signature indicates only that the member has read the report and does not imply agreement or disagreement with the contents. The supervisor will review the completed evaluation with the member prior to signature.
- C. Ratings of Unsatisfactory (Less than Satisfactory) in any area must be substantiated with specific reasons on the evaluation form and there must be specific actions delineated for the member to improve performance and bring performance of a particular standard to the satisfactory category.
- D. Rating Period Supervisor - Evaluations will be completed by the supervisor, under whom the member worked during the majority of the rating period (over 6 months). The evaluation will be based only on the performance during the rating period.
- E. Member Review - The supervisor will review the completed evaluation with the member. The member is provided the opportunity to sign and date the evaluation. The signature indicates that the member has read the report, but does not imply agreement or disagreement with the contents. The member is provided a copy of the evaluation upon request.

406.3 Procedures Completing Evaluation

- A. Each supervisor will maintain a current performance evaluation log for each of his/her subordinates as follows:

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1. The supervisor should make entries into each of his/her member's performance log continuously throughout the rating period.
 2. The supervisor will provide the date of each entry on the performance log.
 3. The supervisor will give detailed information concerning the incident in which the member's performance was evaluated.
 4. The supervisor will include positive and constructive comments based upon the member's performance that warrants praise or criticism.
 5. The supervisor will review each entry with the member.
 6. When necessary, supporting documentation will be attached to the form.
 7. The supervisor and the member will initial each entry after reviewing it.
- B. Each supervisor will complete an annual performance evaluation for each of his/her subordinates as follows:**
1. The supervisor will receive a reminder from the Department of Personnel Coordinator when each annual evaluation is due. The annual evaluation is due on the member's anniversary date. Supervisors' evaluation dates are their dates of promotion.
 2. The supervisor will determine which evaluation forms are needed based on the member's job function and participation in secondary assignments.
 3. The supervisor will refer to the member's performance evaluation log entries for the rating period. Performance log entries will assist supervisors and members during the annual evaluation review by recalling past performance during the rating period.
 4. The supervisor will complete the evaluation forms according to the evaluation standards provided in Section 406.4 of this operating manual for sworn members. City Rules VII and XIII govern the completion of civilian evaluation forms.
 5. The supervisor will review the evaluation with the members.
 6. The supervisor will sign the evaluation and will instruct the member to sign it also.
 7. The supervisor will forward the evaluation to his/her supervisor for review.

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- C.** Reference may be made to problems from a previous rating period that have, or have not, improved. The member will be rated for performance in the position(s) held during the rating period.
- D.** An annual evaluation consists of a Police Officer Performance Evaluation form, an addendum for those members assigned to specialty units and a secondary duty assignment evaluation if applicable.
- E.** The Member Performance Log will be used as an instrument to document an member's performance strengths, weaknesses, and goals for improvement, with the intent of providing input to the member during the performance evaluation process. This opportunity to discuss with the member their strengths and weaknesses will help each member to understand whether they are exceeding/meeting performance standards or need to improve in any area.
- F.** Supervisors should make entries into each of their member's Performance Log continuously throughout the rating period. The entries made by the supervisor will be reviewed with and initialed by the member. When necessary, supporting documentation will be attached to the form. Performance log entries will assist supervisors and members during the quarterly and annual evaluation review by recalling past performance during the rating period. Log entries must include positive and constructive comments based upon the member's performance that warrants praise or criticism.
- G.** Annual Sworn Member Performance Evaluations will be a cumulative report on a member's job performance for the preceding twelve months. After the Division Commander and Chief have reviewed and signed the annual evaluation, a copy will be kept in the member's folder, which is maintained by his supervisor. After the approval process, the original evaluation will be forwarded to the Department Budget Officer for processing to the Human Resource Department. If the member is eligible for a pay increase, it will governed by the collective bargaining contract between the City and the member's bargaining unit, or City policy and final approval by the Human Resources Department. Ratings on all applicable categories will be consistent with the Standard Evaluation Guidelines in this manual.
- H.** All original performance evaluations will be forwarded to the Human Resources Department for final review, approval, and filing with the member's personnel file. The Human Resources Department retains the responsibility to maintain the original evaluation in conformance with state records retention schedules.

406.4 Sworn Officer Standards

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- A. Decision Making/Judgment:** Measures the officer's ability to use logical and sound judgment when responding to a situation based upon recognition and understanding of the facts available, and to define problem situations and initiate action based upon established guidelines and procedures to reach a solution.
1. Unsatisfactory: Fails to use logical and sound judgment when responding to a situation based upon a recognition and understanding of the facts available. Fails to define problem situations and does not initiate action based upon established guidelines and procedures.
 2. Satisfactory: Displays use of logical and sound judgment when responding to a situation based upon a recognition and understanding of the facts available. Is able to define problem situations and initiates action based upon established guidelines and procedures.
- B. Directing Others:** Evaluates officer's ability to initiate action; independently assumes control of a situation; to obtain information from others; to direct, assist, or provide guidance to others.
1. Unsatisfactory: Fails to initiate action. Does not independently assume control of a situation. Is not able to obtain information from others. Fails to direct, assist, or provide guidance to others.
 2. Satisfactory: Is able to initiate action. Independently assumes control of a situation. Is able to obtain information from others. Directs, assists, and provides guidance to others.
- C. Driving Abilities - Stress/Non-Stress Situations:** Evaluates driving ability in stressful & and in non-stressful situations.
1. Unsatisfactory: Involved in preventable accidents. Unnecessary use of emergency equipment. Drives too fast or too slow for the given situation. Violates traffic laws. Shows poor skills when operating city vehicle.
 2. Satisfactory: Obeys appropriate traffic laws. Performs vehicle operation in a satisfactory manner while maintaining alertness to surrounding activities. Drives defensively.
- D. Field Performance - Stress Conditions:** Evaluates the officer's ability to perform in moderate and high stress situations.
1. Unsatisfactory: Becomes emotional, is panic-stricken, cannot function, holds back, loses temper, or displays cowardliness.

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2. Satisfactory: Maintains calm and self-control in most situations. Determines proper course of action and takes it. Does not permit the situation to deteriorate.

E. Officer Safety - General/ Suspects/ Suspicious Persons/ Prisoners:

Evaluates officer's ability to perform tasks in a safe manner while dealing with suspects, suspicious persons and prisoners.

1. Unsatisfactory: Fails to conduct proper pat down or search when legally permitted. Leaves avenues open for escape or attack. Fails to follow accepted safety procedures or to exercise officer safety, i.e.:
 - a. Exposes weapons to subject.
 - b. Fails to keep gun hand free during enforcement situation.
 - c. Incorrect procedures during traffic stops. (Specify).
 - d. Fails to control suspect's movements.
 - e. Does not keep suspect in sight.
 - f. Fails to advise dispatcher when applicable.
 - g. Fails to utilize or care for personal safety equipment.
 - h. Does not anticipate potentially dangerous situations.
 - i. Exposes self, partner, or violator to hazardous traffic.
 - j. Poor choice of position or avenue of approach when responding to calls for service.
 - k. Poor choice of weapon and when to use it.
 - l. Fails to protect other officers.
 - m. Fails to search police vehicle prior to, and after, transporting subject.
2. Satisfactory: Follows accepted safety procedures. Understands and applies them.

F. Interpersonal Skills: Measures the ability to display courtesy and consideration for the problems, needs and feelings of others in a fair and non-prejudicial manner, and the use of discretion in exercising police authority.

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1. Unsatisfactory: Is discourteous and inconsiderate when dealing with problems, needs and feelings of others. Displays unfair and prejudicial behavior when dealing with the public. Displays lack of discretion in exercising police authority.
2. Satisfactory: Is courteous and considerate when dealing with problems, needs and feelings of others. Deals with the public in a fair and non-prejudicial manner. Uses discretion in exercising police authority.

G. Oral Communications: Measures officer's ability to clearly express himself/herself through oral means; and to properly use technical factors such as grammar, vocabulary, eye contact, voice inflection.

1. Unsatisfactory: Fails to clearly express himself/herself by: enunciating unclearly; using excessive slang or technical jargon; having no or little eye contact; using voice tone not easily heard; little or no voice command.
2. Satisfactory: Is able to clearly express himself/herself by: enunciating clearly; avoiding distracting mannerisms such as pencil tapping, etc.; maintaining appropriate eye contact; minimizing use of slang or technical jargon; using voice tone easily heard; and using proper voice command.

H. Report Writing: Evaluates the officer's ability to clearly, neatly and effectively communicate relevant information through written means; and to properly use technical factors such as grammar, vocabulary and sentence structure. Evaluates ability to use appropriate departmental forms accurately and completely. Evaluates ability to prepare reports that accurately reflect the situation in a detailed organized manner.

1. Unsatisfactory: Fails to utilize appropriate vocabulary, correct spelling, proper punctuation, proper grammar and sentence structure. Fails to present written information in neat, clear and concise manner. Fails to avoid the use of slang, abbreviations, or very technical jargon. Unable to choose the proper form in given situation. Unable to properly complete form. Unable to organize information and reduce it to writing.
2. Satisfactory: Is able to utilize appropriate vocabulary, correct spelling, proper punctuation, proper grammar and sentence structure. Is able to present written information in neat, clear and concise manner. Is able to avoid the use of slang, abbreviations, or very technical jargon. Uses accepted format (1st person, print, etc.). Knows which form to use for a given situation. Completes it with reasonable accuracy and completeness. Completes reports, organizing information in a logical manner. Reports contain the required information and details.

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- I. **Investigative/Interview Skills:** Evaluates officer's ability to conduct a proper investigation at crime scenes, and the ability to interview victims, subjects and witnesses.
 1. Unsatisfactory: Cannot properly conduct a criminal investigation. Cannot accurately determine crime committed. Fails to collect or preserve evidence. Lacks skills in proper questioning techniques. Does not perform follow-up when necessary.
 2. Satisfactory: Recognizes the elements of crime offenses. Follows proper procedure during investigation. Collects and preserves evidence. Uses proper questioning techniques and establishes good rapport with most victims, subjects and witnesses. Does perform necessary follow-up.

- J. **Radio - Appropriate Use of Codes and Procedures:** Evaluates officer's ability to use the police radio in accordance with departmental policy and procedures. Evaluates the ability to pay attention to the radio traffic and to understand the information transmitted. Evaluates ability to communicate with others via police radio.
 1. Unsatisfactory: Violates policy concerning radio procedure. Does not understand or use proper codes/language. Repeatedly misses own call signal and is unaware of signals in own and adjoining areas. Requires dispatcher to repeat radio transmissions or does not accurately comprehend transmissions. Fails to write dispatched information (e.g. address). Does not preplan simple transmission. Over and/or under modulates. Cuts receiving transmission off by improper use of the radio. Interrupts others with routine radio traffic.
 2. Satisfactory: Follows policy and accepted procedure. Has good working knowledge of radio procedure. Copies own radio transmissions and is generally aware of other radio traffic. Uses proper procedures with clear, concise, and complete transmissions.

- K. **Knowledge of Departmental Publications:** Evaluates officer's knowledge of departmental policies and procedures and the ability to apply this knowledge under field conditions.
 1. Unsatisfactory: Fails to show knowledge of Agency policies and procedures.
 2. Satisfactory: Familiar with commonly applied Agency policies and procedures, regulations, and complies with it.

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L. Knowledge of State Criminal/Traffic Statutes, and City Ordinances: Evaluates officer's knowledge of state criminal/traffic statutes, and City Ordinances.

1. Unsatisfactory: Does not possess basic knowledge of Florida Statutes and City Ordinances. Does not recognize criminal offenses when evident. Cannot distinguish type of crime committed. Cannot identify traffic violations. Unable to apply traffic statutes to various situations.
2. Satisfactory: Recognizes commonly encountered criminal offenses and applies the appropriate statute or ordinance. Knows the difference between criminal and non-criminal activity. Knows and recognizes commonly used statutes and applies appropriate traffic violation. Can locate lesser-used statutes in reference material.

M. Dependability: Measures dependability in stress and non-stress conditions.

1. Unsatisfactory: Arrives for work late. Does not complete assigned tasks. Accepts little responsibility. Fails to adequately assist other officers when needed.
2. Satisfactory: Readily accepts responsibility. Completes assigned tasks. Arrives for work on time. Assists other officers when required.

N. Appearance: General appearance evaluates officer's demeanor, appearance, and dress.

1. Unsatisfactory: Uniform in unsatisfactory condition. Poor demeanor, appearance, and grooming.
2. Satisfactory: Uniform is neat and clean. Equipment is properly maintained.

O. Quality Policing Initiatives: Evaluates the officer's ability to perceive potential criminal problems, locations and offenders, and develop a police response, before they become an issue to the community at large.

1. Unsatisfactory: Displays little or no initiative or interest in developing or securing community contacts, utilizing preventative techniques, designing programs, or techniques known or likely to reduce crime in the assigned zones. Fails to recognize potential crime problems developing based on commonly recognized indicators.
2. Satisfactory: Can identify or list locations or issues within the assigned district zone likely to develop into criminal activity, nuisances or other types of calls for service directed to police, e.g. homeless camps, alcohol establishments, places of assembly, etc. Ability to develop contacts within

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the business community operating within the assigned zones. Ability to develop contacts within the residential community. Activity seeks out community gatherings and encourages frequent police presence at homeowners' association meetings, plaza merchant meetings, community center groups, neighborhood watch, etc. Ability to speak effectively to small and large gatherings on crime prevention, current crime trends, and other police-related issues affecting the immediate zone. Develops and employs creative initiatives that have minimal risk and a likelihood of successfully reducing criminal activity or matters that affect the general safety and welfare of the community, in the assigned zones.

406.5 Community Resource Coordinator Standards

A. Learns Neighborhood Crime Problems: Measures the officer's ability to gather information on current crime problems in their neighborhoods of responsibility.

1. Unsatisfactory: Officers does not show initiative to become aware of problems in their neighborhoods.
2. Satisfactory: Officer displays initiative in gathering information on current crime problems in their neighborhood. Contacts and develops information with citizens.

B. Identifies and Develops Community Resources Effectively: Measures officer's ability to identify and develop available community resources to affect crime or quality of life issues.

1. Unsatisfactory: Officer does not utilize or identify various resources in the community to address issues.
2. Satisfactory: Officer identifies and coordinates available resources to effectively combat neighborhood problems.

C. Attends Community Meetings and Participates: Measures officer's ability to regularly attend and participate in community meetings.

1. Unsatisfactory: Officer is regularly tardy or does not attend community meetings.
2. Satisfactory: Officer regularly attends and participates in scheduled community meetings.

D. Presents Meaningful Crime Prevention Measures to Improve the Community: Measures officer's ability to present crime prevention measures in order to improve community.

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1. Unsatisfactory: Officer does not participate or is tardy in scheduled crime prevention community meetings. Does not initiate crime prevention strategies. Officer does not use services available on City, County, State or National level to prevent crime, or address community problem.
2. Satisfactory: Officer participates in services available on City, County, State or National level to prevent crime.

E. Officer is Accessible to Police Personnel and Civilians in Their Zones: Measures officer's availability to public and zone officers.

1. Unsatisfactory: Officer does not participate or make him/her self-available to public and zone officers.
2. Satisfactory: Officer regularly participates and makes him/her self-available to public and zone officers.

F. Identifies and Formulates Plans of Actions to Solve Problems in Their Zones: Measures officer's ability to identify problems and formulate plans of action to resolve problems in their zone. Uses their own initiative to develop resources in solving problems.

1. Unsatisfactory: Officer does not observe problems such as needs for service, crime trends or quality of life issues. Fails to initiate action plans.
2. Satisfactory: Officer participates in developing an action plan to utilize resources available to solve problems. Initiates, follows through and completes action plan.

406.6 Traffic Officer Standards

A. Weekly Activity Documentation: Evaluates officer's ability to manage time and tasks assigned with regard to enforcement issues, special projects and special requests.

1. Unsatisfactory: Fails to manage time appropriately to complete assignments in a timely manner or on due dates. Does not utilize patrol time effectively to conduct enforcement activities and solve traffic related problems.
2. Satisfactory: Manages time appropriately to complete assignments. Utilizes patrol time effectively to conduct enforcement activities and solve traffic-related problems.

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B. Handling Special Complaints: Evaluates officer's ability to effectively handle special complaints from citizens regarding traffic related issues.

1. Unsatisfactory: Does not routinely contact citizens who have requested special traffic enforcement, to advise them of the enforcement efforts and results. Fails to complete the assigned special requests when due. Fails to properly document activity and turn in the special complaint request forms.
2. Satisfactory: Routinely contacts citizens who have requested special traffic enforcement, to advise them of the enforcement efforts and results. Completes and turns in the assigned special requests when due to include proper documentation of activity.

C. Crash Investigation Techniques: Evaluates officer's ability to properly, and thoroughly, investigate all traffic accidents.

1. Unsatisfactory: Fails to properly determine when a crash report is required. Fails to accurately determine fault based on witness interviews and physical evidence. Fails to complete follow-up investigations. Cannot identify appropriate traffic violations and is unable to apply statutes to various situations.
2. Satisfactory: Properly determines when a crash report is required. Accurately determines fault based on witness interviews and physical evidence. Completes follow-up investigations. Identifies appropriate traffic violations and is able to apply statutes to all but the most complicated situations.

D. Maintaining Equipment: Evaluates officer's ability to properly care for and maintain all department assigned equipment.

1. Unsatisfactory: Officer fails to properly care for and maintain equipment by; allowing calibrations to lapse, failing to have preventive maintenance scheduled at the appropriate time, fails to report damaged or lost equipment to the supervisor in a timely manner. Equipment is not kept clean and serviceable.
2. Satisfactory: Officer properly cares for and maintains equipment by; insuring calibrations are up to date, preventive maintenance is completed on time, damaged or lost equipment is documented and reported to the supervisor in a timely manner. Equipment is kept clean and serviceable.

E. Enforcement Techniques: Measures officer's ability to effectively apply standard traffic enforcement techniques and to implement special and innovative methods to meet unusual or unique traffic related circumstances.

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1. Unsatisfactory: Officer fails to properly determine exact problem. Officer fails to apply appropriate enforcement techniques for the situation. Officer attempts to avoid solving problems when met with unusual or unique circumstances, which require application of different enforcement or approach methods.
2. Satisfactory: Officer properly identifies problem and takes appropriate action to reduce and eliminate the violations. Officer researches and applies innovative methods to overcome unique circumstances.

F. Traffic Court Presentation: Evaluates officer's ability to verbally express facts and circumstances related to accident investigations and/or citation in a manner, which is courteous orderly and professional.

1. Unsatisfactory: Is unfamiliar with the facts and circumstances of the case. Fails to bring appropriate or required documents to court, such as; radar log, radar certification, etc. Fails to clearly and orderly express himself/herself as to the facts and circumstances of the case. Is discourteous and inconsiderate while testifying. Becomes emotional an argumentative when responding to questions; uses harsh language; uses inappropriate body language or facial expressions.
2. Satisfactory: Has reviewed all report documents and citations, and is properly prepared to provide testimony. Has all required documents necessary for review by presiding official or defendant. Is able to clearly and orderly express himself/herself as to the facts and circumstances of the case. Is courteous and considerate while testifying. Maintains a calm non-emotional presence while responding to questions.

G. Court Appearances: Evaluates officer's ability to organize time and schedule for forthcoming court appearances as required by subpoena.

1. Unsatisfactory: Fails to remember when he/she is to appear in court. When a scheduling conflict arises, the officer fails to contact the Clerk of Court to inform them of conflict and attempt to have the hearing rescheduled. Officer fails to inform his supervisor of the conflict and his/her attempt to resolve the issue.
2. Satisfactory: Officer appears in court when required. When a scheduling conflict arises, the officer contacts Clerk of Court to inform them of conflict and attempts to have the hearing rescheduled. Officer informs his supervisor of the conflict and his/her attempts at the resolution.

406.7 K-9 Officer Standards

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- A. Maintains Complete and Timely Training Records:** It is imperative that canine officers maintain accurate and timely training records. These records are needed for presentation in court proceedings to show the reliability of the dog team. Records must be turned into the supervisor by the fifth day of the month following the training period.
1. Unsatisfactory: Records are not turned in by the fifth day. Records do not accurately depict the dog teams training activity or are not legible.
 2. Satisfactory: Records turned in by the fifth day. Records are neat and accurately depict the dog teams training activity.
- B. Maintains Complete and Timely Activity Logs:** Activity logs are necessary to track the use of the dog teams. These logs are needed for presentation in court proceedings to show the reliability of the dog team. Logs must be turned into the supervisor by the fifth day of the month following the training period.
1. Unsatisfactory: Activity logs are not turned in by the fifth day. Logs do not accurately depict the dog team's deployment activity or are not legible.
 2. Satisfactory: Activity logs are turned in by the fifth day. Logs are neat, legible, and accurately depict the dog team's deployment activity.
- C. Closely Monitors Safe Condition of K-9 Equipment:** K-9 equipment must be kept in good condition to prevent injuries.
1. Unsatisfactory: Officer fails to notify supervisor of broken or unsafe leashes, collars, protective equipment, car alarms, door openers, etc.
 2. Satisfactory: Officer notifies supervisor of broken or unsafe leashes, collars, protective equipment, car alarms, door openers, etc.
- D. Maintains Clean Living Environment for K-9:** The canine officer is compensated for maintaining a clean living environment for the dog. The living environment includes the kennel and yard and the officers house only if the dog lives inside.
1. Unsatisfactory: The dog's kennel has feces in it. The kennel floor is unreasonable dirty. The yard has several piles of feces.
 2. Satisfactory: The dog's kennel is clean. The yard is kept free of feces. The living environment is free of fleas.
- E. Cares for Emotional and Physical Welfare of K-9:** The emotional and physical welfare of the police dog is the responsibility of the canine officer. A

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neglected or abused dog does not perform well as a police dog. The dog must be securely housed to prevent injury (hit by car, bitten by dog, etc.).

1. Unsatisfactory: The dog is not well groomed. The dog displays fear of the handler as result of mistreatment.
2. Satisfactory: Canine officer regularly grooms and plays with the dog. The dog is kept secured whenever officer is not present.

F. Keeps Immunizations Current: Police dog immunizations are necessary to prevent life-threatening diseases. Rabies vaccinations are required by law. The K-9 officer is responsible for keeping all immunizations current.

1. Unsatisfactory: The dog's immunizations are more than one week past due.
2. Satisfactory: The dog's immunizations are kept current.

G. Maintains K-9's Weight and General Health: The trainer will determine what each dog's weight should be based on the advice from the veterinarian. The handler will not allow the dogs weight to fluctuate more than five pounds without notifying the trainer. Any injury or illness regardless of its severity must be reported to the trainer as soon as possible.

1. Unsatisfactory: The dog's weight fluctuates more than five pounds and the trainer is not notified. The dog is injured or ill and the trainer is not notified.
2. Satisfactory: The handler maintains the dog's appropriate weight and notifies the trainer when it fluctuates more than five pounds. All injuries and illnesses are reported to the trainer.

H. Deployment Performance: The K-9 Unit SOP clearly states the criteria for deployment of police dogs. The canine officer is responsible to act in accordance with the SOPs when determining when his or her dog will be deployed. The canine officer is expected to respond expeditiously when requested. The canine officer is also expected to monitor radio traffic and respond when their services may be beneficial, even though not specifically requested.

1. Unsatisfactory: The canine officer deploys the dog in situations, which do not meet deployment criteria. The canine officer fails to deploy the dog when the situation meets deployment criteria, unless there are articulated reasons. The canine officer responds to requests for assistance slowly, not at all, or does not respond unless specifically requested.
2. Satisfactory: The canine officer ensures that all deployments meet criteria set for in the K-9 SOP. The canine officer responds expeditiously to

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requests for service. The canine officer monitors radio traffic and offers assistance when situations occur which may benefit from her or her service.

I. Response to Call-Out Requests: The canine officer is required to respond to call out requests in a timely manner.

1. Unsatisfactory: The canine officer does not respond to call out requests in a timely manner.
2. Satisfactory: The canine officer responds to call out requests in an expeditious manner.

J. Training Attendance and Effectiveness: The canine officer is required to attend all unit-training sessions. Exceptions will be approved through the Unit Supervisor prior to the training session. Sick leave or any approved leave requests are also considered excused absences. The canine officer is responsible for adhering to training techniques utilized by the Palm Bay Police Department specific to the assigned dog. If the canine officer observes deficiencies in the dog's performance, he or she must advise the supervisor/trainer as soon as practical.

1. Unsatisfactory: The canine officer has unexcused absences from unit training sessions. The canine officer fails to maintain the dog's proficiency because he or she does not adhere to training techniques specific for their dog, as deemed appropriate by the supervisor/trainer. The canine officer fails to advise the supervisor/trainer of deficiencies in their dog's performance.
2. Satisfactory: The canine officer attends all unit-training sessions unless leave is approved. The canine officer adheres to training techniques utilized by the Palm Bay Police Department specific to their assigned dog. The canine officer maintains their dog's proficiency and reports deficiencies to the supervisor/trainer as soon as practical.

406.8 Investigations Standards

A. Timeliness of Investigation: Evaluates the member's ability to act on identified investigative leads. Includes the timely submission of investigations to appropriate entities for review.

1. Unsatisfactory: Fails to act on identified investigative leads. Fails to forward case to appropriate entities for review.
2. Meet Standards: Acts quickly upon the receipt of investigative leads. Forwards cases to appropriate entities (laboratory analysis, state of federal agencies, State's Attorney, reviewing supervisor) for review.

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B. Investigative/Crime Scene Techniques: Evaluates the members' ability to initiate action; to independently assume control of a situation; to obtain information from others; to direct, assist, or provide guidance to others at crime scenes.

1. Unsatisfactory: Fails to initiate action. Cannot identify the crime/situation. Is not able to obtain information from others. Fails to assist direct, or provide guidance to others.
2. Satisfactory: Identifies the crime; establishes and directs the course of the investigation ensures the preservation of physical evidence, identifies any special needs of victims/witnesses while providing guidance and direction to them.

C. Case Notes Maintained and Accessible: Evaluates the member's ability to document investigative actions and readily retrieve such documentation.

1. Unsatisfactory: Fails to maintain an orderly method of documenting action taken on a case and ensure that files are readily accessible.
2. Satisfactory: Documents action on cases in a clear concise method. Documentation is easily accessible, easily understood and readily available for supervisory review.

D. Interview and Interrogation Skills: Evaluates the member's ability to interact and obtain information from people in a lawful and professional manner.

1. Unsatisfactory: Fails to express him/herself clearly. Becomes emotional, loses temper. Fails to keep abreast of current case law.
2. Satisfactory: Remains calm and in control. Is able to clearly express him/herself. Uses lawful investigative techniques to obtain credible information.

E. Court Preparation and Presentation: Evaluates a member's ability to retrieve all investigative notes, reports, and evidence and to speak intelligently on the issues during judicial process.

1. Unsatisfactory: Unable to locate documentation, becomes argumentative, speaks in a manner that would tend to hide the truth.
2. Satisfactory: Obtains documentation in ample time, effectively reacquaints himself with the facts of the case. Answers questions in a clear, concise, orderly and truthful manner.

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406.9 Internal Affairs Officer Standards

- A. Timeliness of Investigation:** Evaluates the member's ability to act on identified investigative leads. Includes the timely submission of investigations to appropriate entities for review.
1. Unsatisfactory: Fails to act on identified investigative leads. Fails to forward case to appropriate entities for review.
 2. Meet Standards: Acts quickly upon the receipt of investigative leads. Forwards cases to appropriate entities (IA Supervisor, Standards and Training Bureau Commander, or Chief of Police) for review.
- B. Interview and Interrogation Skills:** Evaluates the member's ability to interact and obtain information from people in a lawful and professional manner.
1. Unsatisfactory: Fails to express himself clearly. Becomes emotional, loses temper. Fails to keep abreast of current case law.
 2. Satisfactory: Remains calm and in control. Is able to clearly express himself. Uses lawful investigative techniques to obtain credible information.
- C. Report Writing:** Evaluates the officer's ability to clearly, neatly and effectively communicate relevant information through written means; and to properly use technical factors such as grammar, vocabulary and sentence structure. Evaluates ability to prepare reports that accurately reflect the situation in a detailed organized manner.
1. Unsatisfactory: Fails to utilize appropriate vocabulary, correct spelling, proper punctuation, proper grammar and sentence structure. Fails to present written information in neat, clear and concise manner. Fails to avoid the use of slang, abbreviations, or very technical jargon. Unable to organize information and reduce it to writing.
 2. Satisfactory: Is able to utilize appropriate vocabulary, correct spelling, proper punctuation, proper grammar and sentence structure. Is able to present written information in neat, clear and concise manner. Is able to avoid the use of slang, abbreviations, or very technical jargon. Uses accepted format (1st person, print, etc.). Completes reports, organizing information in a logical manner. Reports contain the required information and details.
- D. Investigative Skills:** Evaluates officer's ability to conduct a proper administrative investigation, and the ability to interview victims, subjects and witnesses.

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1. Unsatisfactory: Cannot properly conduct an administrative investigation. Cannot accurately determine crime or violations of policies/regulations committed. Fails to collect or preserve evidence. Lacks skills in proper questioning techniques. Does not perform follow-up when necessary.
2. Satisfactory: Recognizes the elements of criminal offenses and administrative violations. Follows proper procedure during investigation. Collects and preserves evidence. Uses proper questioning techniques and establishes good rapport with most victims, subjects and witnesses. Does perform necessary follow-up.

E. Knowledge of Police Department Regulations and City Policies: Evaluates officer's knowledge of Police Department Regulations and City Policies.

1. Unsatisfactory: Does not possess basic knowledge of Police Department regulations and City policies. Does not recognize administrative violations when evident. Cannot distinguish type of violation committed.
2. Satisfactory: Recognizes commonly encountered criminal or administrative offenses and applies the appropriate statute or policy. Knows the difference between criminal and non-criminal activity.

F. Handling Complaints: Evaluates officer's ability to effectively handle complaints from citizens regarding the police department or its members.

1. Unsatisfactory: Does not routinely contact citizens who have expressed a complaint to advise them of the complaint or fact-finding status. Fails to complete assigned complaints/investigations when due. Fails to properly document complaints /investigations.
2. Satisfactory: Routinely contact citizens who have expressed a complaint to advise them of the complaint or fact-finding status. Complete assigned complaints/investigations when due. Properly documents complaints /investigations.

406.10 Supervisor Standards

A. Planning and Assignment: Plans, organizes and completes tasks in the shortest, most efficient manner. Proposes plans of action that are timely, realistic and positive.

1. Unsatisfactory: Fails to develop effective strategies to obtain good over-all performance. Fails to organize for task or translate planning into reality.

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2. Satisfactory: Meets or exceeds standards for major responsibilities or objectives on time or ahead of schedule.
- B. Training and Instruction:** Demonstrates ability to train, lead and motivate people. Has the ability to teach not only in a classroom environment.
1. Unsatisfactory: Fails to encourage a positive learning environment. Fails to show appreciation for contribution or achievement.
 2. Satisfactory: Shares knowledge for the benefit of all members. Clearly understands the purpose, objective, and practices of training and instruction.
- C. Evaluating Performance:** Establishes clear and meaningful criteria for effective performance. Outlines performance objectives and evaluation criteria.
1. Unsatisfactory: Fails to rate job performance not the individual. Fails to direct performance appraisals toward the self-improvement of members.
 2. Satisfactory: Rates on basis of performance and not personality. Effectively evaluates others without negative responses.
- D. Delegating Responsibility:** Recognizes the importance of working through subordinates. Delegates to improve job satisfaction.
1. Unsatisfactory: Fails to delegate to proper person. Fails to provide subordinates with the resources needed to accomplish the task.
 2. Satisfactory: Delegates to improve organizational effectiveness. Knows when and what to delegate.
- E. Decision Making:** Exercises a wide range of decision making with confidence. Makes sound decisions through evaluation.
1. Unsatisfactory: Fails to weigh alternative decisions before taking action. Does not seek input for decisions.
 2. Satisfactory: Assembles all available facts before making decision. Foresees the consequences of decisions.
- F. Fairness and Impartiality:** Promotes a relationship of trust and respect and develops interpersonal skills.
1. Unsatisfactory: Fails to build a spirit of teamwork and cooperation through honesty and fairness.

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2. Satisfactory: Promotes impartiality and professionalism through organizational atmosphere and subordinates.
- G. Discipline:** Uses coaching and positive discipline to motivate members toward goals.
1. Unsatisfactory: Fails to recognize or use an approach to match the situation or conditions.
 2. Satisfactory: Uses a full range of discipline to get the most from members.
- H. Unit Morale:** Displays positive reinforcement to motivate and challenge subordinates to extraordinary enthusiasm.
1. Unsatisfactory: Does not display sense of purpose. Does not build member enthusiasm.
 2. Satisfactory: Displays a strong personal commitment. Goes beyond what is expected. Builds member enthusiasm.
- I. Directing and Controlling:** Makes certain members have a clear understanding of their responsibilities.
1. Unsatisfactory: Fails to give recognition. Does not effectively coach subordinates toward personal achievement. Fails to build teamwork.
 2. Satisfactory: Excels in effective coaching and counseling of subordinates. Avoids over-supervising. Is fair and firm when dealing with subordinate problems.

406.11 Staff Support Officer (Non-Enforcement Position) Standards

- A. Planning and Organization:** Measures the officer's ability to plan and organize his/her duties and functions. Ability to prioritize duties and responsibilities with little supervision. Ability to manage various tasks and assignments.
1. Unsatisfactory: Fails to plan workday. Shows little or no office organization. Does not prioritize duties based on agency need. Does not manage tasks or assignments without direct supervision.
 2. Satisfactory: Effectively plans work day. Demonstrates strong office organization skills. Prioritizes duties based on agency need. Manages tasks and assignments without direct supervision.

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B. Time Management: Evaluates the officer's ability to manage duty time to meet agency needs and requirements of position.

1. Unsatisfactory: Wastes time on non-essential activities failing to complete priority tasks within periods allotted. Does not effectively manage time to meet deadlines on reports or projects. Schedules duty time inappropriately to meet position responsibilities. Needs significant supervision to arrange work hours and times.
2. Satisfactory: Manages time effectively to meet agency and position requirements. Meets deadlines on projects and reports. Little or no supervision needed to arrange hours of duty to meet requirements.

C. Self-Directed Work Skills: Evaluates officer's ability to work independently of direct supervision. Ability to operate in a multi task environment. Ability to manage different projects without direct supervision.

1. Unsatisfactory: Requires direct supervision to complete duties and tasks. Fails to manage projects on his/her own. Must be directed regularly to work on tasks and projects.
2. Satisfactory: Completes duties and tasks with little or no supervision. Manages projects without supervision. Requires little or no supervision to meet duty and position requirements.

D. Self-Initiated Activity: Measures officers' ability to initiate work without supervision. Ability to develop projects from self-initiative.

1. Unsatisfactory: Fails to develop or follow up on projects without direct supervision. Does not start duties or tasks without directed assignments from supervisor.
2. Satisfactory: Initiates projects on his/her own. Needs little or no supervision in establishing work lists and carrying them out. Finds opportunities to start and complete projects within the officers' field of responsibility.

E. Organizational Communication Skills; Written, Verbal: Measures officers' ability to communicate with various staff and operations functions within and outside of the Agency. Ability to write reports and projects. Ability to deliver presentations on projects verbally.

1. Unsatisfactory: Does not communicate well with personnel from other bureaus or from outside the Agency. Unable to write memos, reports, projects properly. Unable to present ideas and projects verbally to staff or other personnel.

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2. Satisfactory: Communicates well with personnel from other bureaus and from outside the Agency. Writes memos correctly, utilizing appropriate formats and forms. Creates quality reports and written projects. Presents ideas well verbally to staff and other personnel.
- F. Work Product:** Measures officers' quality of work. Evaluates project reports, thoroughness of assignments, and memos.
1. Unsatisfactory: Does not produce complete reports. Inconsistent in completing assignments. Unable to write memos, reports, projects properly. Unable to present ideas and projects verbally to staff or other personnel.
 2. Satisfactory: Projects and reports are thorough and complete. Writes memos correctly, utilizing appropriate formats and forms. Creates quality reports and written projects. Presents ideas well verbally to staff and other personnel.
- G. Supervision and Delegating:** Makes certain subordinates have a clear understanding of their responsibilities. Gives assignments and follows up properly with subordinates. Understands the importance of delegating and follow up.
1. Does not meet standard: Fails to coach and counsel subordinates. Fails to build teamwork. Is not clear in assigning tasks. Does not follow up with subordinates to insure task completion. Fails to delegate tasks and projects.
 2. Satisfactory: Makes certain members have a clear understanding of the duties and responsibilities. Coaches and counsels members effectively. Uses appropriate training and discipline methods when needed. Delegates tasks and projects appropriately.

406.12 Secondary Duty Assignment

- A. Secondary duty assignments are those duties, which are beyond an officer's primary duty assignment, i.e., SWAT Team, CNT, URT, FTO, Honor Guard.
- B. Officers selected for secondary duty will be evaluated by their secondary duty assignment supervisor on an annual basis using the same standards as in the annual evaluation with the following additional standards:
 1. **#9 - Response to Call-Out Requests:** The officer is required to respond to call out requests in a timely manner.

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- a. Unsatisfactory: The officer does not respond to call out requests in a timely manner.
 - b. Satisfactory: The officer responds to call out requests in an expeditious manner.
2. **#10 - Training Attendance and Effectiveness**: The officer is required to attend all unit-training sessions. Exceptions will be approved through the Unit Supervisor prior to the training session. Sick leave or any approved leave requests are also considered excused absences. The officer is responsible for adhering to training techniques utilized by the Palm Bay Police Department.
- a. Unsatisfactory: The officer has unexcused absences from unit training sessions.
 - b. Satisfactory: The officer attends all unit-training sessions unless leave is approved.

406.13 Youth Services Officer Standards

- A. Timeliness of Investigations**: Evaluates the officer's ability to act on identified investigative leads. Includes the timely submission of investigations to appropriate entities for review.
1. Unsatisfactory: Fails to act on identified investigative leads. Fails to forward case to appropriate entities for review.
 2. Meet Standards: Acts quickly upon the receipt of investigative leads, Forwards cases to appropriate entities.
- B. Interview and Interrogation Skills**: Evaluates the officer's ability to interact and obtain information from people in a lawful and professional manner.
1. Unsatisfactory: Fails to express him/herself clearly. Becomes emotional, loses temper. Fails to keep abreast of current case law.
 2. Satisfactory: Remains clam and in control. Can clearly express him/herself. Uses lawful investigative techniques to obtain credible information.
- C. Interagency Cooperation**: Evaluates the officer's ability to collaborate with other departmental units and pool investigative, analytical, and evidential resources.

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1. Unsatisfactory: Fails to collaborate with other departmental units and pool investigative, analytical and evidential resources.

2. Satisfactory: Effectively collaborates with departmental units and pools investigative, analytical and evidential resources.

D. Pro-active Initiatives: Evaluates whether the officer is actively initiating pro-active police investigations and conducting follow up investigations.

1. Unsatisfactory: Fails to pro-actively initiate investigations and fails to conduct follow up investigations.

2. Satisfactory: Effectively initiates pro-active investigations and conducts follow up investigations.

E. Cooperation with outside Juvenile Justice Agencies: Evaluates the officer's ability to cooperate with local and state Juvenile Justice Agencies.

1. Unsatisfactory: Fails to cooperate with local and state Juvenile Justice Agencies.

2. Satisfactory: Successfully coordinates with local and state Juvenile Justice Agencies.

F. Community Involvement Initiatives: Measures officer's ability to initiate activities that promote community involvement.

1. Unsatisfactory: Does not initiate activities that promote community involvement.

2. Satisfactory: Effectively initiates activities that promote community involvement.

406.14 School Resource Officer Standards

A. Report Writing: Evaluates the officer's ability to clearly, neatly and effectively communicate relevant information through written means; and to properly use technical factors such as grammar, vocabulary and sentence structure. Evaluates ability to use appropriate departmental forms accurately and completely. Evaluates ability to prepare reports that accurately reflect the situation in a detailed organized manner.

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1. Unsatisfactory: Fails to utilize appropriate vocabulary, correct spelling, proper punctuation, proper grammar and sentence structure. Fails to present written information in neat, clear and concise manner. Fails to avoid the use of slang, abbreviations, or very technical jargon. Unable to choose the proper form in given situation. Unable to properly complete form. Unable to organize information and reduce it to writing.
2. Satisfactory: Is able to utilize appropriate vocabulary, correct spelling, proper punctuation, proper grammar and sentence structure. Is able to present written information in neat, clear and concise manner. Is able to avoid the use of slang, abbreviations, or very technical jargon. Uses accepted format (1st person, print, etc.). Knows which form to use for a given situation. Completes it with reasonable accuracy and completeness. Completes reports, organizing information in a logical manner. Reports contain the required information and details.

B. Communication of School Related Incidents: Evaluates the officer's ability to communicate school related incidents through the proper chain of command.

1. Unsatisfactory: Fails to communicate school related incidents through the proper chain of command.
2. Satisfactory: Effectively communicates school related incidents through the proper chain of command.

C. SRO/ School Staff Relations: Evaluates the officer's ability to create and maintain a working relationship with school staff members.

1. Unsatisfactory: Fails at creating and/or maintain a working relationship with school staff members.
2. Satisfactory: Effectively creates and maintains a working relationship with school staff members.

D. SRO/ Student Relationship Initiatives: Evaluates the officer's ability to build relationships with the student community.

1. Unsatisfactory: Fails to build relationships with the student community.
2. Satisfactory: Effectively builds relationships with the student community.

E. Cooperation with outside Juvenile Justice Agencies: Evaluates the officer's ability to cooperate with local and state Juvenile Justice Agencies.

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1. Unsatisfactory: Fails to cooperate with local and state Juvenile Justice Agencies.
2. Satisfactory: Successfully coordinates with local and state Juvenile Justice Agencies.

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Subject: Field Training and Evaluation Program (FTEP)	OM No: C405	
Rescinds: OMC405 Revised: 08/28/18	CFA 5th: 10.07	Revised: 04/25/19
Reference:		

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405 Purpose: To establish the operating procedures of the Department Field Training and Evaluation Program (FTEP). The primary objective of the Field Training and Evaluation Program is to produce a law enforcement officer who can work in a solo capacity in a safe, skillful and professional manner.

405.1 Definitions

A. General

- 1. FTEP Supervisor** - Supervisor who is responsible for the overall operations of the FTEP.
- 2. FTEP Coordinator** - An appointed sworn officer having responsibility over the coordination and implementation of the FTEP.

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3. **Field Training Officer (FTO)** - A non-probationary Police Officer who supervises and provides ongoing training to a newly hired Probationary Police Officer.
4. **Probationary Police Officer (PPO)** - A police officer certified by the Criminal Justice Standards and Training Commission but has not yet attained permanent status with the Agency.
5. **Reinstated Police Officer (RPO)** - An individual who has been rehired by the Agency within 6 months of their resignation. These individuals will be required to redo their medical and drug screens and are exempt from the psychological and/or polygraph at the Chief of Police's discretion.
6. **Police Reserve Officer (PRO)** - Individual who possesses certification for minimum standards training and has been sworn and authorized by the Chief of Police.
7. **Field Training and Evaluation Program** - An accepted training program designed to help the PPO make the transition from the classroom environment of law enforcement, to the practical application of skills in "field" situations. The Field Training and Evaluation Program (FTEP) is a phase-based program where the PPO receives training and evaluation in agency policies and procedures for carrying out the duties of a Police Officer.
8. **Orientation Program** - A two-week (minimum) program consisting of orientation to the General Orders and Operating Manuals (SOP's), high liability training, uniforms and equipment issue, and employee benefit coordinator. The Administrative Division conducts this program for all new officers.
9. **Phase** - A period of the FTEP for training and evaluating the PPO on a daily basis.
10. **Daily Observation Report** - A standardized form consisting of categories of performance utilized for documenting the PPO's performance on a daily basis. This form is commonly referred to as a D.O.R. [<DOR>](#)
11. **Remedial Training** - Additional training the PPO receives after demonstrating an unacceptable level of performance in a specific category of the D.O.R.
12. **Extension Period** - An extension of the FTEP beyond the normal time limits when a PPO demonstrates problems that hinder his/her performance. This allows for additional training in the deficient area(s).

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- 13. FTEP Training Day** - Routine days during each phase dedicated to classroom, scenario and active training.
- 14. FTEP Written Phase Exam** - Written exams given at the end of each phase of training. Minimum passing score is 75%. Passing the exam is required to move to the next phase of training.
- 15. Supervisor's Monthly Evaluation Form** - A standardized form consisting of 41 categories of performance that are used by Patrol Sergeants to evaluate PPO's monthly performance. Currently referred to as a SME.
[<Supervisor Monthly Evaluation Form>](#)
- 16. Solo Capacity** - The capacity of a PPO to perform at a level of competency that would allow the FTO to certify them as ready to operate in the field on their own.
- 17. Desk Booking Specialist** - A certified State of Florida Corrections Officer who is non-sworn and authorized to perform specific functions as provided in [<Desk Booking Specialist Duties GO 503>](#). Desk Booking Specialists are provided modified FTEP training on duties applicable to their position.

405.2 Responsibilities

A. FTEP Commander

- 1. General** - The FTEP Commander has overall responsibility for the administration and supervision of the program.
- 2. FTEP Supervisor's Duties and Responsibilities** - The FTEP Supervisor will inspect and review trainee's personnel folders along with all written materials pertaining to the activities and techniques used and recorded by FTOs concerning the conduct, training, and progress of each trainee in the program at the conclusion of Phase 3 (prior to check-off) and at completion of check-off.
- 3.** Review training folders at the end of Phase I and/or II if there are training/evaluation issues as identified by FTEP Coordinator.
- 4.** Will review and approve any changes to the FTEP documentation, training plans or operational procedures.
- 5.** Responsible for making any and all recommendations to Chief of Police, or his designee, for possible termination of a PPO.

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B. FTEP Coordinator

1. General - The FTEP Coordinator is responsible for all operational aspects of the Field Training and Evaluation Program
2. FTEP Coordinator's Duties and Responsibilities - The FTEP Coordinator will recommend to the FTEP Supervisor necessary modifications and improvements to the FTEP as necessary.
3. The FTEP Coordinator will review, and monitor PPO(s) activities through all phases of training and notify the FTEP Supervisor of any performance problems.
4. Responsible for issuing PPO manuals to newly hired police officers prior to Phase One.
5. Review all evaluation forms, associated documents and information concerning the PPO's performance during phases one through four of the FTEP.
6. Schedule FTO/PPO assignments. Monitor work schedules for conflicts such as vacations, schools, and military leave and adjust assignment schedules accordingly.
7. The FTEP Coordinator will ensure the evaluation reports and required paperwork are completed and forwarded within a timely manner.
8. Develop the FTEP training schedule and all applicable lesson plans.
9. Provide annual performance appraisals for each FTO.
10. Maintain supervisor's monthly evaluation forms for PPOs in Phase Five.
11. Recommends termination to the FTEP Supervisor. When this is done, the PPO will be put on administrative leave.

C. Field Training Officer

1. **General** - The FTO is responsible for training and evaluating assigned PPOs during Phases 1 through 4 of the FTEP. Additional duties include being a member of the FTEP training cadre and assisting with administrative duties assigned by the FTEP Sergeant.

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2. **FTO Duties and Responsibilities** - FTOs report to the FTEP Coordinator regarding all matters pertaining to the FTEP and PPOs.
 - a. Provide daily supervision, training, evaluation and feedback to the assigned PPO.
 - b. DORs should be turned in at the beginning of the next scheduled workday.
 - c. Develop lesson plans as assigned by the FTEP Coordinator.
 - d. Administer end of phase exams to PPOs as assigned by the FTEP Coordinator.
 - e. Document training and evaluation of assigned PPOs on appropriate DORs, addendums, end of phase reports and other documentation as requested or required by FTEP Coordinator or FTEP Supervisor.
 - f. Review, assess and update FTEP documents, training and procedures as assigned.
 - g. Assume lead instructor responsibilities during assigned training blocks during FTO training days.
 - h. During the last week of each phase of training meet with the FTO to which the PPO will be assigned upon successful completion of each phase of training to discuss strengths and weaknesses of PPO.
 - i. Serve as line level supervisors for assigned PPOs.
 - j. FTOs will monitor and plan schedules to avoid conflict while assigned PPOs.
 - k. FTOs will notify the FTEP Coordinator of any upcoming vacation and school requests for scheduling purposes.
 - l. FTOs will be responsible for reference manuals and materials, General Orders, Operating Manuals, FTEP lesson plans (lead instructors are responsible for any supplemental manuals as required in lesson plans) and the Florida Criminal Law, Motor Vehicle and related Statutes, Ordinances Handbook.
 - m. FTOs will counsel the PPO in private. The FTO will refrain from embarrassing the PPO whenever possible and not discuss poor performance with other Agency members other than FTEP staff and

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other Agency supervisors/commanders, who should be aware of poor performance.

3. **Shift Assignment** - The Uniformed Services Division Commander will assign FTO's to Patrol Squads to best serve the needs of the FTEP.

405.3 Supplemental Duties

A. Leader

1. **General** - The FTEP Coordinator may designate FTO's to serve as assistants for administrative or training purposes.
2. **Leader Duties & Responsibilities** - The Leader's duties may include reviewing DOR's, performing training, and other administrative duties as needed.

B. Safety Officer

1. The FTEP safety officer is responsible for the safety of all FTEP scenario and active training sessions. The FTEP Coordinator will designate a FTEP Safety Officer.
2. The FTEP Safety Officer will review lesson plans, safety considerations, and overall scenario area to ensure proper safety protocols are adhered.
3. Will restrict general access of non-role players and non-PPO's from the scenario area.
4. Will reduce scenario hazards to minimize the possibility of risk of injury.
5. Issue the appropriate protective gear used for each prescribed scenario.
6. Ensure no live ammo, live Taser cartridges, firearms, or knives enter the training area. All ammunition will be locked in a secure location away from the scenario area.
7. Ensure that rubber guns or modified Simunition ready firearms are used for Integrated Realistic Confrontational training simulations (when available).
8. In the event no rubber firearms or Simunition modified firearms are available, each firearm will be unloaded, visually and physically checked with a finger sweep of the magazine well and barrel, and marked with colored adhesive tape.

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9. Ensure that a First Aid Kit is available.

405.4 Compensation - FTO's will receive compensation as agreed in the Collective Bargaining Agreement. **<FOP>**

405.5 Selection

A. Position Vacancies - An announcement of position vacancy will be posted in accordance with General Order **<GO410>** Intra-Agency Lateral Assignments.

B. Eligibility -**Must be off probation, except at the convenience of the agency.** Knowledge of the FTO's basic responsibilities. **Must have letter of recommendation memo from DMS approved thru applicant's chain of command thru the Lieutenant. Must have had NO sustained Internal Investigations within the past twelve months.** Demonstrate ability to write clear and complete reports and the ability to communicate as an instructor. Must work overtime when necessary to accomplish training. Must coordinate other departmental demands and outside commitments so they do not interfere with training needs. Must be sensitive to the cultural differences and the special training needs of recruit officers. Hold Instructor Techniques and FTO School certifications or must attend as soon as available.

C. Selection Procedure - The selection of Field Training Officers will be consistent with General Order Intra-agency lateral assignments. **GO 410**

405.6 Termination of FTO Status - Officers will be released from the FTEP under the following conditions:

A. Transfer - Transfer to a non-Patrol assignment.

B. Involuntary Termination - Causes for termination may include, but are not limited to: unsatisfactory performance, inability to provide comprehensive personnel evaluations, reluctance to accept assignments, failure to attend scheduled FTO seminars/meetings and violations of Palm Bay policy and written directives. FTOs may be released from the FTEP appointment for cause as documented by the FTEP Supervisor.

C. Voluntary Resignation - A memorandum requesting termination of FTO status will be submitted to the FTEP Coordinator and a copy forwarded to the FTEP Supervisor.

405.7 Probationary Police Officers

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A. General - All newly hired or rehired police officers with a separation of more than one year will enter the FTEP as PPOs following Agency orientation and initial training.

B. PPO Duties & Responsibilities - Probationary Police Officers are expected to:

1. Be respectful to the Field Training Officers at all times.
2. The FTO's instructions are to be accepted and followed at all times. If a PPO believes that a specific instruction or order is improper, or an evaluation is not fair, he or she will discuss it with the FTO. If the PPO is still not satisfied, he/she will ask for a meeting with the FTEP Coordinator. The PPO may request to meet with the FTEP Supervisor should the problem not be resolved. The FTEP Supervisor has discretion to meet with the PPO or concur with the FTEP Coordinator's decision.
3. Complete all assignments in a prompt, timely manner.
4. Follow all General Orders and Departmental Procedures.
5. Be prepared for all recruit manual assignments and will be responsible for all material.
6. Will not respond to police calls, or wear identifiable police clothing, while off duty. PPOs that have previous law enforcement experience may be allowed to carry a firearm off duty at the discretion of the Chief of Police. A written request must be made to the Chief of Police, through the FTEP Coordinator, requesting permission.
7. Not conduct police investigations while off duty.
8. Be receptive to criticism given by FTOs. They may verbalize an explanation for their action, however, repeated rationalization, excessive verbal contradictions and hostility is not acceptable.
9. PPO work schedules will correspond with the FTO they are assigned or as directed by the FTEP Coordinator. PPOs will be on time for all Overlap/Roll-Call and Training functions. Training will start whether or not PPOs are present. It is the responsibility of the recruit to make up any assignment or training missed.
10. PPOs will not be authorized any vacation, comp. time or sick time without approval by the FTEP Supervisor or his designee.

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11. PPOs will be responsible for wearing their complete normal patrol uniform during FTO Training Days.
12. PPOs, including lateral entry and former officers, will not work off-duty police jobs or accept a courtesy officer position until satisfactory completion of phase four.
13. While off duty, recruits will not respond to police calls, carry a firearm, or conduct police investigations. In the event a PPO is required to appear in court, a FTO or other officer that has been approved by the supervisor must accompany them.
14. To be released to solo beat officer status, a completed manual must be turned in to the FTEP Coordinator.

405.8 Overview of the Field Training and Evaluation Program

A. Five Phases - The Field Training and Evaluation Program (FTEP) is normally a 14 week program which is divided into five (5) phases. Prior to Phase I, PPOs will have attended a law enforcement academy, passed the state examination, and completed Agency/City employee orientation. PPOs will then be assigned to the FTEP for training and evaluation with an FTO for Phases I-IV. Phase I starts the time in which the PPO puts the skills obtained in the academy into use on the street with the assistance of his or her FTO. Whenever FTO availability permits, the PPO will rotate to a different FTO at each phase facilitating a rotation of recruit field assignments. The PPO should be assigned back to the Phase I FTO for Phase IV, the two-week "check-off phase".

1. Training & Evaluation Phases

- a. **PHASE I - WEEKS 1- 4** - Daily Observation Reports by primary FTO. An "End-of-Phase" report is completed by the primary FTO. Days One and Two are Grace Days. No numerical ratings will be indicated.
- b. **PHASE II - WEEKS 5- 8** - Daily Observation Reports by 2nd FTO. An "End-of-Phase" report is completed by the primary FTO. Day One is a Grace Day. No numerical rating is indicated.
- c. **PHASE III - WEEKS 9-12** - Daily Observation Reports by 3rd FTO. An "End-of-Phase" report is completed by the primary FTO. Day One is a Grace Day. No numerical rating is indicated.

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- d. **PHASE IV- WEEKS 13-14** - Evaluation-only-phase. Daily observation reports by primary FTO. An “End-of-Phase” report is completed by the primary FTO. There are no Grace days during Phase IV (Check-off).
 - e. **PHASE V** - Start of Probationary Period (8) Months requiring Supervisor’s Monthly Evaluation and at 12 month anniversary an Annual Evaluation.
2. **Accelerated Phases (Fast Tracking)** - With written approval (email may fulfill written requirement) from the FTEP Supervisor, a PPO with a minimum of one year prior law enforcement experience as a patrol officer may be accelerated in the FTEP. This process, called “Fast Tracking” reduces the number of training days and Daily Observation Reports (DOR) and moves an experienced and competent PPO thru the FTEP to solo status faster. Fast Tracking is strictly voluntary on behalf of the PPO. To qualify for consideration, the PPO must:
- a. Have a minimum of one (1) year prior law enforcement experience in the capacity of a patrol officer.
 - b. Have satisfactorily completed Phase I and II of FTEP with no, or minimal, performance problems. If Fast Tracking more than one Phase, the PPO must have completed a full and comparable FTEP (i.e. San Jose Model) at a prior agency. All PPOs will complete at least six weeks of training in FTEP. The PPO must provide to the FTEP Coordinator supporting documentation to include, but not limited to, all copies of DORs and the training manual from the prior agency. **The PPO should be informed at the earliest stage of the background process that if he/she qualifies for Fast Tracking and that the required documentation from the prior agency must be obtained as soon as possible. The PPO will be informed that it is his/her responsibility to initiate the request from the prior agency and have it mailed to our Agency as soon as possible if Fast Tracking is to be considered.**
 - c. Have reviewed and signed-off on all training material in the FTEP manual, including Phase III material.
 - d. Have completed and passed all Weekly Phase exams (I-III).
 - e. Be performing at solo officer capability.
 - f. To be considered, the PPO must submit an email thru the Phase I FTO to the FTO Coordinator requesting Fast Tracking. The FTO will respond to the email and either recommends advancement to Phase

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IV (Check-off) or continuation in the standard process. The FTEP Coordinator will review the PPO's file and documentation from the previous agency. If the Coordinator deems the Fast Tracking satisfactory, the Coordinator will forward an email to the FTEP Supervisor for approval.

- g. If the PPO's performance in Phase IV shows indications that he/she is not performing to the standards of a solo officer, the PPO will be placed back into the Phase from which he/she was Fast Tracked. Training days that were completed in Phase IV will count towards the previous Phase from which the PPO was Fast Tracked.
- h. Reinstated employees will go thru a one week orientation and receive refresher training on hi liability topics (DT, Use of Force, Taser, Firearms and First Aid/CPR), DMS review, and other training deemed necessary by the training unit. These employees, at the Chief of Police's discretion, will participate in an abbreviated FTEP to ensure they show proficiency as a solo officer.

B. Phase One - During this period, the FTO completes a daily observation report, concerning the PPO's training, performance, and advancement. Although a daily evaluation report will be completed for each duty day, during the first two days the reports will reflect N.O. (Not Observed) in all categories. These two days are considered "grace days" and allow the PPO to be acquainted with his new FTO without the added pressure of being evaluated. Throughout the training phase the FTO will develop and institute, remedial training where needed. The PPO will drive and use the radio after the first week. The PPO will complete all regular and remedial training assignments.

- 1. No PPO will advance to the next phase until the currently assigned FTO

AND

- 2. The new FTO have met to discuss the PPO's strengths and weaknesses.

C. Phase Two - After completion of Phase One, the PPO is transferred to Phase Two and assigned to a new FTO. The first day is considered a grace day. Second phase is also a training and evaluation phase. As in Phase One, the PPO is evaluated on a daily basis by the FTO.

- 1. If significant weaknesses are noted, the FTO will meet with the FTEP Supervisor to discuss remedial training ideas. At the end of the Phase Two, a PPO assessment meeting will be held. If the PPO is advanced, an End of Phase Report is completed and forwarded. Where weaknesses

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and/or deficiencies are noted, the FTO will develop and initiate remedial training to correct the problem.

2. At the completion of Phase Two, the PPO should have mastered the basic skills of his job function. These include radio comprehension, report writing, safe driving, interpersonal skills and officer safety techniques, as well as the ability to make decisions and take control of most situations. Phase Two is considered a basic skills proficiency phase which must be successfully completed before moving to Phase Three.
- D. Phase Three** - After successful completion of Phase Two, the PPO transfers to Phase Three and, when possible, is assigned to a new FTO he has not worked with. The first day is considered a grace day.
1. During Phase Three the PPO refines his basic skills to the point that he can function as a single unit. The focus in this phase is to learn tasks not previously encountered, strengthening weak areas, and simulating a single unit with minimal assistance from the FTO.
 2. Third Phase is also a training and evaluation phase with emphasis placed on performance evaluation. Daily evaluations by the FTO are continued and remedial training is provided where needed. At the end of Phase Three, a PPO assessment meeting will be held. If the PPO is advanced, an End of Phase Report is completed and forwarded.
 3. Remedial training may be required for less than acceptable performance during phases one through three.
 4. The PPO will turn in their PPO Training Manual to the FTEP Coordinator.
- E. Phase Four (Check-off)** - Successful completion of the first three phases of the FTEP indicates that the PPO is considered trained and proficient in basic knowledge, actions, and duties and is capable of functioning alone as a single unit.
1. Phase Four, also referred to as Check-off, is a two-week testing phase with mandatory daily evaluations. There are no grace days at the beginning of Phase Four. The FTO rides only as an observer/evaluator. The FTO will dress in plain-clothes attire or the Agency issued BDU uniform. FTOs will carry Agency ID, badge, gun and any other equipment deemed necessary by the FTEP Coordinator, in a concealed manner.
 2. In order to complete the FTEP, the PPO must demonstrate during the Fourth Phase the ability to consistently perform level "4" (solo level) work in all rating areas. PPO(s) who are unable to attain this level will be

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recommended for additional training or termination of employment. To ensure that the trainee acts as the lead officer during this phase, the FTO will not take any action except in instances where their "stepping in" or intervention is necessary. The FTO maintains direct supervision responsibility over the PPO. **This FTO intervention is mandatory under the following circumstances:**

- a. **Officer Safety** - If the actions of the trainee constitute a hazard or potentially dangerous situation to the officers or citizens, the FTO must take whatever action is necessary to reduce the hazard and ensure safe and proper practices are followed.
 - b. **Illegal or Unethical Activity** - The FTO must ensure that the trainee's actions are legal and ethical at all times. Neither of these conditions will be sacrificed for training purposes.
 - c. **Embarrassment to a Citizen, the Agency or the FTO** - The FTO need not allow an incident to reach the point where a citizen or the FTO becomes embarrassed by the trainee's actions. Neither must the FTO allow the trainee to embarrass or bring discredit to the Agency.
3. Successful completion of Phase Four requires that an End of Phase Report be completed, supplemented by articulating specifically that this PPO is ready to start Phase Five.
 4. A PPO who successfully completes the first four phases of field training, with or without the need for an additional training phase, is expected to be able to perform police functions in an acceptable solo level manner. The standard by which this requirement is measured is the "4" performance level contained in the Standardized Evaluation Guidelines.
- F. FTO Session** - Frequently, the FTEP Unit will meet and conduct a group evaluation session of the PPOs assigned to them. This group evaluation session will allow other FTOs who have observed the recruit's performance to comment on such. Where necessary, special training can be discussed and advice for special training problems can be sought and given within the confines of the FTEP unit. Prior to the PPO moving from one FTO to the next FTO (at four-week intervals) all FTOs through which the PPO is rotating will meet for a group evaluation session.
- G. End of Phase Exams** - A series of phase examinations have been designed to record the PPO's knowledge and retention of material covered. The results of the exam will be recorded on the DOR tracking sheet maintained in the front of each phase section of the PPO's training file. A minimum score of 100% is required to pass each exam. Scores will be recorded in the Recruit

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Manual. Phase exams will be administered by the FTO during each week of the phase. Prior to administering the exam, the FTO will ensure that all phase material has been covered and signed off in the PPO training manual.

- H. Training Material** - The *FTEP Manual* is designed to ensure that the PPO is aware of the material that is testable in each weekly phase exam. Material taught in the basic academy, such as statutes and case law, may not be covered again with the PPO by the FTO. It is important that the PPO study new material as well as review basic knowledge. Assignments and due dates are given so that the new officer will make an effort to study new material as well as review some of the more pertinent material received in the academy.
- I. Phase Five** - The shift Sergeant will complete a Supervisor's Monthly Evaluation (SME) Report at the end of each four-week period during Phase Five. Phase five is the time from the end of check-off until the probationary period (12 months from date of hire, or date of certification, whichever is later) ends.
1. Shift Sergeants identifying weak areas in the PPO's performance will immediately meet with their Division Lieutenant and discuss the deficiency. The shift Sergeant and/or Division Lieutenant will then discuss the weak performance areas and any remedial training plans with the Commander.
 2. All SME's, both acceptable and unacceptable, will be forwarded to the FTEP Coordinator for records retention. The FTEP Coordinator may be consulted for remedial training recommendations for PPOs.
 3. PPOs must successfully earn overall acceptable ratings on SMEs in Phase five. Upon receiving an overall unacceptable month the Sergeant, Lieutenant, Division Commander and FTEP Coordinator will discuss discipline, remedial training, and/or other actions for correction.
 4. Should the PPO receive two overall unacceptable months in Phase Five, he/she will fail to meet probation requirements.
 5. At the end of Phase Five, the shift Division Commander or designee will prepare an End-of-Probation report. If the Division Commander or designee does not recommend probation completion, justification must be provided for either extension of probation or termination.
- J. Remedial Training Phases** - The PPO should be performing at an acceptable level for each phase of training. If the PPO has not attained an acceptable level for the phase, the training period may be extended for a period of up to two weeks under the following circumstances:

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1. There is a specific, identifiable problem.
2. During the previous training phases the PPO has shown progress in the identified problem area.
3. There is a specific remedial training plan to correct the problem.
4. It is reasonable to believe that the remedial training plan should correct the problem within the period of **two** weeks.
5. Remedial training may be conducted by any FTEP team member or other instructors that are deemed appropriate by the FTEP Coordinator.
6. Remedial training requests will be requested by the FTEP Coordinator through the FTEP Supervisor by memo. The remedial training plan will be attached.

405.9 FTEP Training Days

A. Procedures- The following are guidelines for conducting training:

1. PPOs will attend all FTO training days during Phases One through Four unless pre-approved by FTEP Supervisor.
2. FTEP training days may consist of classroom, active, and/or scenario training.
3. PPO's will wear their normal patrol uniform, unless otherwise requested for the Integrated Realistic Confrontational (I.R.C.) training simulations or defensive tactics. For I.R.C. training, PPOs will wear their issued training uniform, BDU type pants, ballistic vest, and all Agency required duty gear.
4. All scenarios will be scripted and retained by the FTEP Coordinator based on Training Section approved lesson plans related to Agency training.
5. The Safety Officer will be responsible for safety considerations and overall scenario area.
6. All Firearms Training Rules will apply in I.R.C. training while using the F/X ammunition.
7. FTOs with PPOs will complete a Daily Observation Reports on each FTO training day.

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8. When available, the scenarios will be video taped for remedial training and feedback at the completion of the training day.
9. The Training Section will retain all I.R.C. videotapes and record of training.

405.10 General Procedures

A. Pass/Fail Possibilities - All training phases are pass/fail. Should the PPO not be progressing and is not able to perform the duties and requirements of any phase, with or without remedial training, they may be recommended for termination. The PPO's pass/fail and/or demonstration of proficiency in the various required tasks are recorded on Daily Observation Reports (DOR).

B. Resignation - The following procedures will be followed:

1. A letter of resignation will be submitted to the FTEP Coordinator.
2. All issued equipment will be brought to the Police Department with the letter of resignation.
3. The PPO will go thru the exit process as prescribed in [Employee Separation Process GO 422](#).

C. Termination - The FTEP Supervisor will address all termination issues with the PPO.

D. Valid Training Days and Weeks (Phase One through Phase Four)

1. To be credited with a valid week a PPO must have completed forty hours. The PPO must be in training and evaluation under the supervision of an FTO or other officers as assigned by the FTEP Coordinator. A DOR will be completed for each day. PPOs will not be transferred to the next phase with less than the required minimum number of training hours in that phase (Phase One-140 hours, Phase Two-140 hours, Phase Three-140 hours, Phase Four-60 hours). Permissible absenteeism for PPOs in Phase One, Two, and Three, is 10 hours in each phase at the authorization of the Chief of Police or his designee.
2. A PPO may, under some circumstances, be assigned another FTO for two full shifts by the Lieutenant of Support Services or his designee. Under extreme circumstances, the Chief of Police or his designee could authorize three full shifts.

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3. Waivers to this standard may be requested in extraordinary circumstances by submitting a written request to the FTEP Supervisor through the FTEP Coordinator.

E. FTO Critique Form

1. This form is reviewed by the FTEP Coordinator to monitor the FTOs assigned to the program and to provide feedback to the FTO. It is completed by each recruit on FTOs to whom they are assigned. This form is confidential and is not given to the FTO in its original form.
2. The form should be completed prior to the recruit moving from one FTO to the next FTO (usually at four-week intervals). Once completed, the form will be directed to the FTEP Coordinator.

- F. Off-Duty Police Service** - PPOs, including lateral entry and former officers, will not work off-duty police jobs until satisfactory completion of Phase Four. Unsatisfactory performance during any phase will result in the suspension of the right to work off-duty police jobs.

405.11 FTO Guidelines for Completing DOR

A. General

1. Standard Evaluation Guidelines are used as a format for completing the Daily Observation Report on a PPO, which must be completed at the end of each tour of duty.
2. All evaluations prepared during the probationary period are forwarded in a timely manner to the FTEP Coordinator for review, approval and record retention.
3. The FTO is required to complete appropriate sections of the Officer's Daily Observation Report and discuss the comments with the PPO daily
4. Comments by the FTO are required when a rating of 3, or lower, and 5, or higher, are given to the PPO. The FTO must write the details of the performance observed and how the rating fits the evaluation guidelines. This rating criterion is for Phases 3 and 4.
5. If no evaluation is completed on a particular day, indicate the reason by day number/date in the appropriate boxes on the front of the report.

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6. Indicate the day number/date of the evaluation on the line provided. The day number should reflect the number of days that a PPO has been in that particular phase.
7. The daily rating must be entered in the appropriate box by the FTO.
8. The FTO must indicate the acceptability of the PPOs overall performance on the back of the report. The report must be signed and initialed by the PPO indicating that he/she has read the report.
9. When a PPO is assigned to another FTO, other than his regular FTO, the temporary FTO will complete a Daily Observation Report.

405.12 Standard Evaluation Guidelines (SEG's) - A way in which a trainee (PPO) is graded on their performance in each of the evaluation categories. The grading scale of "1" for Unacceptable, "4" for Acceptable and "7" for Superior will be applied. It is with these guidelines that program standardization and rating consistency is achieved. [<Standard Evaluation Guidelines>](#)

405.13 Field Training and Evaluation Program - D.O.R. Narrative Section FTO Checklist

A. The FTO should use the following in the written narrative:

1. Set the stage/scene.
2. Consider using verbatim quotes.
3. Remember your audience.
4. Critique performance, not the person.
5. Do not make predictions.
6. Report facts.
7. Check your spelling, grammar, etc.

B. Think Remediation

405.14 Forms and References

A. [<DOR>](#)

B. [<SEG>](#)

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- C. [<Case Law and Criminal Procedure>](#)
- D. [<FTO Critique Form>](#)
- E. [<Patrol Checklist>](#)
- F. [<Reading Checklist>](#)
- G. [<Recruit Manual Topics>](#)
- H. [<Report Sign-off Checklist>](#)
- I. [<Week 1 Skill Mastery Checklist>](#)
[<Week 2 Skill Mastery Checklist>](#)
[<Week 3 Skill Mastery Checklist>](#)
[<Week 4 Skill Mastery Checklist>](#)
[<Week 5 Skill Mastery Checklist>](#)
[<Week 6 Skill Mastery Checklist>](#)
[<Week 7 Skill Mastery Checklist>](#)
[<Week 8 Skill Mastery Checklist>](#)
[<Week 9 Skill Mastery Checklist>](#)
[<Week 10 Skill Mastery Checklist>](#)
[<Week 11 Skill Mastery Checklist>](#)
[<Week 12 Skill Mastery Checklist>](#)
- J. [<Important Locations Checklist>](#)
- K. [<Report Writing Log>](#)

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Firearms Training Unit (FTU)		OM No: D405
Rescinds: OMA 405D 11/02/06 Revision	CFA 5th:	Revised: 06/30/15
Reference: GO 202, 405		
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405.12	<u>Student- Instructor Ratio</u>	

405 Purpose - The need to provide consistency and continuity in a structured In-service Firearms and Tactical Training Program necessitates a Firearms Training Unit under the direction of the Training Section Lieutenant. This Operating Manual establishes guidelines for the FTU function.

405.1 Scope - This procedure will apply to all Agency personnel mandated to receive tactical firearms training, firearms qualification, remedial training, mental conditioning for in-service training, and specialty training. Applicable sections will also apply to outside agencies and their personnel authorized or contracted to utilize the firearms range facilities.

405.2 Definitions

A. Lead Firearms Instructor (LFI) - An experienced firearms instructor who has been certified by the Criminal Justice Standards and Training Commission,

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(CJSTC), to instruct police officers in the use of firearms and appointed by the Chief of Police to manage the Agency's firearms program.

- B. Firearms Instructor (FI)** - A person who has been certified by the Criminal Justice Standards and Training Commission (CJSTC) to instruct police officers in the use of firearms.
- C. Range Master (RM)** - A temporary line assignment of a FI for a given training session and range complex responsibilities.
- D. Armorer (AR)** - An armorer is a person who is trained and qualified and/or certified in the repair and maintenance of a specific firearm.

405.3 Training Goals and Objectives

- A. General** - The Firearms Training Unit (FTU) sets its focus on the role of the Firearms Trainers (FT), in training, evaluation, and supervision. The FT's supervise, teach and provide tactical firearms training, firearms qualification and remedial firearms training to authorized personnel of the Palm Bay Police Department, and others. FTU will adhere to all appropriate procedures as provided in Agency Training General Order [<GO 405>](#), Use of Force General Order [<GO 201>](#), Firearms General Order [<GO 202>](#) and other applicable Agency policies, procedures and directives.
- B. Firearms Trainers** - The FT's skill, attitude, and demeanor impact heavily on our officers; their ways are indelibly transferred to the officers who emulate the Firearms Trainers. The officers' survival and future as a proper functioning police officer results from the mental conditioning and tactical training of the Firearms Trainers. Therefore, the Firearms Trainers must be well trained, dedicated, professional and conscientious.
- C. Focus of Training** - The Agency's firearms training program focuses on consistency and continuity of training in tactical firearms training, remedial training and mental preparation for armed encounters.
- D. Current Training Techniques** - The FTU instructors are dedicated to providing a safe, professional and frequent training in a positive learning environment. FTU will stay abreast of current changes and strategies in law enforcement tactical firearms training.
- E. Lead Firearms Instructor (LFI)** - Primary instructor who acts as supervisor over the FTU. LFI is responsible to ensure the training of authorized

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personnel in Agency policy and procedures on the deployment and use of firearms and achieving the goals and objectives of the Agency's firearms training program.

405.4 General Requirements

- A. Safe Training** - The Firearms Training Staff will provide safe, professional and current in-service firearms training. In-service training will include tactical firearms training. Proficiency checklists will be completed.
- B. Remedial Training** - The Firearms Training Staff will provide remedial firearms training as deemed necessary to maintain a standard of proficiency within the agency. [<GO 202.6\(B\)>](#)
- C. Lesson Plans/Procedures** - The Firearms Training Staff will maintain and update lesson plans and operating procedures to keep abreast of current changes in strategies and Agency policies and procedures.

405.5 Firearms Training Staff Selection

- A. Position Application** - Positions in the FTU are part-time appointments that require duties in addition to the member's regular duty assignment. Persons interested in becoming a member of the FTU must submit a memo through their supervisor to the Lead Firearms Instructor.
- B. Eligibility** - Any competent employee who has attained permanent status, minimum one year law enforcement experience, not on probation, received satisfactory performance evaluations, willing to attend a Firearms Instructor and General Instructors Technique School, and who has a desire and personal dedication to participate in the FTU is eligible. Applicant will be recommended in writing by the immediate supervisor. The Chief of Police may modify these requirements.
- C. Submit Memorandum** - Applicant forwards a memorandum through their supervisor to the Lead Firearms Instructor with the following information:
 - 1. Name and rank.
 - 2. Educational background.
 - 3. Previous assignments.

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4. Length of service.
 5. Specialty schools.
- D. Review and Selection** - The Lead Firearms Instructor will review the applications and submit written recommendation to the Training Section Lieutenant, who will select the most suited applicant for the position. Applicants will be notified of the reason for their non-selection.
- E. New FI Training** - Training of the selected applicants will be administered, documented and approved by the Lead Firearms Instructor. All newly assigned FI will attend in-house orientation training workshops for FIU staff. The FI is authorized to train others as determined by the LFI.
- F. Refresher Training** - The Training Section Lieutenant and LFI are responsible for ensuring that (FI) attendance at FTU training sessions is mandatory. Reasons for failure to attend scheduled training will be explained in a memorandum to the LFI. Failure to attend training may cause the FI member to be removed from the FTU.
- G. Assignment** - The LFI and Firearms Instructors are assigned to the Training Section while engaged in FTU duties.

405.6 Duties and Responsibilities

A. Lead Firearms Instructor (LFI)

1. Responsible for supervising and managing the FTU.
2. Instructs in firearms certified to teach.
3. Keeps abreast of changes in the laws related to firearms training techniques and other related issues. Develops, changes and submits lesson plans and courses of fire to the Training Section Lieutenant and Chief of Police for approval.
4. Conducts qualifications. Coordinates with the Training Section to assign FI's as needed.
5. Acts as Range Safety Officer. Ensures all firearms training safety rules and hazard warnings are instructed to trainees.

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6. Ensures that the Agency's Firearm Range facility is maintained for safe operation. Documents and reports necessary maintenance needs to the Training Section Lieutenant.
7. Ensures that all necessary firearms training equipment is in safe working order and that there are sufficient supplies of safety equipment available for Agency firearms training.
8. Ensures that all Agency firearms are in safe working order before they are issued to Agency officers.
9. Reviews and approves/denies Equipment Authorization Forms related to firearms for use of personally owned firearms and modifications as provided by Agency Firearms General Order [<GO 202>](#). Ensures personally owned firearms are inspected to meet requirements of [<GO 202>](#).
10. Ensures that only Agency authorized ammunition is used in Agency approved firearms. Assists Training Section in budgeting and ordering process for both duty ammunition and ammunition used for training.
11. Recommends training budget needs for firearms training to Training Section Lieutenant.
12. Researches and provides recommendations for improvements or changes in the Agency's issued firearms, firearms training program, Agency Use of Force policy or related firearms issues, to the Training Section Lieutenant.
13. Other Department firearms duties as directed by the Training Section Lieutenant or Chief of Police.

B. Firearms Instructor (FI)

1. Instructs in Firearms under the authority of the LFI.
2. Conducts qualifications.
3. Acts as Range Safety Officer.
4. Reviews and approves/denies Equipment Authorization Forms related to firearms for use of personally owned firearms and modifications as

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provided by Agency Firearms General Order [<GO 202>](#). Ensures personally owned firearms are inspected to meet requirements of [<GO 202>](#).

C. Instructor's General Duties & Responsibilities

1. Instructor's personal equipment:

- a. Whistle.
 - b. Stopwatch (not issued by the PD).
 - c. Ear & Eye protection (Dark & Clear).
 - d. Screwdriver (multi-tool) (not issued by the PD).
 - e. Hat.
 - f. Rain Gear.
2. Prior to the students arrival, all targets, number boards, staple guns, tape, ammo and drinking water will be set up and ready for use.
 3. Maintain the issued FTU notebook.
 4. Maintain the range registration sheet.
 5. Attend the FTU training sessions.
 6. Document all training sessions with a lesson plan, attendance sheet, and safety rules.

D. Range Master (RM)

1. Responsible for the overall operation and safety of the range complex.
2. Instructs trainees in all rules related to the safe operation of the Range and the safe handling of firearms. [<Range Safety Rules>](#)
3. Instructs trainees in the dangers of lead poisoning and other potential hazards. [<Lead Warning Document>](#)

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E. Armorer (AR)

1. Only certified armorers will service and/or repair firearm(s) that they are qualified to repair.
2. When a firearm is serviced by an armorer, a function test of that firearm will be conducted. In the event the service included replacement of the barrel, firing pin, firing pin spring, extractor, extractor spring, ejector, ejector spring or if the firearm was serviced for failure to feed, fire, extract, or eject, the firearm will be function fired. (Complete function test sheets)
3. All service performed on duty firearms will be documented by the armorer on a firearms repair form. The information will be entered into the armorers repair file maintained in the Training Section and audited every three months by the Training Section Lieutenant as part of the Review and Inspection Process. [<GO 109>](#)
4. The designated armorer will maintain a current firearms inventory and will coordinate the issuance of weapons with the Materials Management Unit. Additionally, the armorer will conduct periodic audits of the ammo inventory to ensure an adequate supply of resources.
5. The armorer will coordinate with the Training Section Lieutenant and LFI to acquire weapons, ammo and other resources to support the Agency's operational and training needs.

F. GLOCK Safety Checks - All firearm safety checks will be done AFTER the firearm is pointed down range in safe direction and properly cleared of all rounds and magazines (unloaded).

405.7 Termination of (FT) Status

- A. Voluntary Resignation** - A memo requesting termination of (FI) status will be submitted to the LFI and a copy forwarded to the Training Section Lieutenant.
- B. Involuntary Termination** - Causes for termination may include but are not limited to: unsatisfactory performance; lack of enthusiasm for training duties or reluctance to accept assignments; failure to attend scheduled FT Seminars; and violations of policies, procedures or Firearm Safety Rules.

405.8 Firearms Training Discipline

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- A. Strict Adherence** - FTU instructors, trainees (Agency personnel) and outside agencies/personnel who utilize the services of the FTU staff or range facility will strictly adhere to all safety rules, instructions and applicable Agency policy and procedures.
- B. Instructor Authority** - Firearms Instructors have complete supervisory authority while conducting firearms training. Agency personnel attending firearms training who are of a higher rank than the FI will subordinate themselves to the FI. Any Agency member or person who commits an unsafe act, displays inappropriate behavior, or dresses inappropriate for firearms training will be immediately corrected by the LFI or Range Master. If, in the LFI or Range Master's sole opinion, the trainee's actions are serious safety and/or procedural violations, the trainee may be dismissed from the class, temporarily relieved from duty, and the Training Section Lieutenant or Support Services Division Commander notified immediately.
- C. Report Violations** - Violations of safety procedures and/or Agency policy/procedure that are dangerous or of a serious nature will be immediately reported by the LFI, or Range Master, to the Training Section Lieutenant who will notify the Support Services Division Commander. A memorandum detailing the nature of the violation will be completed by the LFI or Range Master within 24 hours of the violation and submitted to the Training Section Lieutenant.
- D. Notify Immediate Supervisor** - The member's immediate supervisor will be notified by the Training Section Lieutenant as soon as possible. If the person is a member of an outside agency, a command level officer of that agency will be notified.
- E. Disciplinary Action** - Members who commit safety or policy/procedure violations during firearms training will be subject to disciplinary action up to and including termination.

405.9 Range Usage

- A. Organized Training** - Organized department and specialty training or schools must be approved in advanced thru the LFI.
- B. Individual Training** - Officers while on or off duty are encouraged to enhance their firearm skills with no less than one other user (must be "active" firearms instructor) by utilizing a vacant range or request to fill in with an organized training group. Officers involved in personal training **with a firearms**

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instructor are required to check in and out through the Agency's Communications Center and complete the sign-in log sheet in the range mailbox. Range users will practice safe firearms handling at all times as instructed in the Firearms Training Programs. Individual officers are responsible for policing their brass and trash. Individual officers will report to the Training Section, as soon as possible, any damage to range property, or equipment. Failure to follow the range rules and regulations may cause revocation of individual privileges and disciplinary action.

C. Registration - During organized training sessions a FI may sign the registration for the class, identifying the number of students.

405.10 Steel Target Usage

A. Procedures - Steel targets offer positive instant feedback and are an asset to firearms training. Certain precautions must be taken to ensure safety. The training officers are responsible to ensure that steel targets are used properly within the manufacturer's specifications by all Firearms Instructors and users.

1. Only Agency approved targets from a reputable manufacturer will be used.
2. All targets will be inspected for damage prior to use.
3. Cratered, cracked or concave targets will not be used.
4. Rifle grade ammo. Ammo types .308, .223, 12GA. Slug, and .30 cal carbine will only be used on rifle grade steel targets. Rifle grade ammo will not be used on pistol grade steel targets.
5. The safety zone and the 20-degree splatter zone (Flak Lines) will be considered during use.
6. Eye protection with side protection is mandatory.

405.11 Use of "SIM" rounds

A. SIM rounds are designed for training purposes

1. SIM rounds may only be deployed when under the supervision of a person certified in SIMs safety precautions.

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2. Safety equipment to include eye, head and neck protection will always be worn when training with SIMs rounds.
3. SIMs weapons will be stored in the Agency armory and distributed to persons properly trained in their application.

405.12 Student Instructor Ratio

- A. Static Firing Line** - Not to exceed six students to one range officer.
- B. Dynamic courses of fire** - One student to one firearms instructor.

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Subject: Supervisor Training Manual	OM No: E405	
Rescinds: OME405 Revised: 05/11/15	CFA 5th:	Revised: 08/30/16
Reference: <u>Sergeants Training Check-Off Manual</u>		

TABLE OF CONTENTS	
Section	Description
405	<u>Policy</u>
405.1	<u>General Guidelines</u>
405.2	<u>Supervisor's Responsibilities</u>
405.3	<u>Operating Manual</u>

405 Policy

- A.** A supervisor manual will be made available to each newly appointed Corporal and newly promoted Sergeants/Lieutenants. This manual is designed to provide an overview of selected General Orders, Operating Manuals, City Rules, and CBAs, regardless of assignment.
- B.** Each newly promoted Sergeant, Lieutenant, or appointed Corporal will complete the Supervisor Manual prior to completion of their probationary period. Since there is no probationary period for the Corporal position, the manual will be completed within **one year** of appointment.

405.1 Procedure

- A.** Upon promotion/appointment to the rank of Corporal, Sergeant, or Lieutenant will be issued a Supervisor Manual through DMS.
- B.** Upon receipt of the Manual, the Corporal, Sergeant, or Lieutenant will notify their supervisor that they have received the manual in DMS.
- C.** The newly promoted member's supervisor will make themselves available to provide the necessary instruction and mentoring. The newly promoted member's supervisor will be responsible for ensuring that the Supervisor Manual is completed prior to the end of the probationary period or within the first year of appointment as a Corporal.

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- D. The newly promoted member's supervisor will record all pertinent training information in the member's blue book. This information will be reviewed and discussed with the Corporal, Sergeant, or Lieutenant. All phases of training should be fulfilled within one year.

- E. If, at any time during the newly promoted/appointed member's probationary period training, a Lieutenant or Commander determines that the Corporal Sergeant, Lieutenant performed unacceptably, the Lieutenant or Commander will require the Corporal, Sergeant, or Lieutenant to perform remedial training as necessary until the task is performed satisfactorily. The Lieutenant, Commander or the original instructor will devise remedial training for the Corporal, Sergeant, or Lieutenant in that particular area of concern with supporting documentation.
 - 1. If the Sergeant or Lieutenant continues to perform unacceptably in a particular area, they will be removed from the position while in probationary status or at any time for a corporal.
 - 2. For the position of Corporal, the removal from the appointment may only be made by the Division Commander. For promoted position, the decision to demote a member may only be made by the Chief of Police.

- F. The Lieutenant/Commander ensuring the manual is completed will brief their Division Commander on the overall performance of the specific member prior to the completion of the probationary period.

- G. At the end of the Sergeant's probationary period, the Lieutenant/Commander will write a current Department Performance Appraisal documenting the overall performance of the Sergeant. The Manual should be an integral part of the documentation, assisting in the development of the performance evaluation.

- H. The completed Manual will be retained in DMS.

405.2 Duties and Responsibilities

A. Sergeants / Corporals

- 1. Sergeants will have immediate control of the personnel under their supervision and will be held accountable for their efficiency, training, discipline, appearance, and general conduct.
- 2. Sergeants will supervise the duties and activities of their subordinates.
- 3. Sergeants will frequently inspect, or cause to be inspected, all members under their supervision at the beginning of their tour of duty, and will conduct frequent general inspections of the entire personnel assigned to

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their supervision together with all automotive and other departmental equipment assigned to their use. They are responsible for the proper care, economical use, efficiency and serviceability of departmental equipment and property issued for or assigned to the use of members under their supervision.

4. Sergeants will be responsible for follow up on assignments delegated to subordinates to ensure their completion.
5. Sergeants are responsible for promoting and maintaining efficiency, discipline, and high morale among all members under their supervision.
6. Sergeants will carefully observe the activities and capabilities of personnel under their supervision by devoting as much time as possible in the field to ascertain whether police duties are properly and efficiently performed. Except in minor cases of verbal admonishments, they will report in writing to their supervisors, cases of misconduct, incompetence, neglect of duty, or violations of rules, regulations, or policy and procedures on the part of such personnel. It will be deemed neglect of duty and inefficiency by Sergeants to encourage or permit laxity and/or indifference to be shown by their subordinates in the performance of their duties.
7. Sergeants who observe or are informed of any neglect of duty or misconduct by an employee or member not assigned to their supervision will, except where the reputation of the Agency and welfare of the community demands immediate direct action, bring it to the attention of their Lieutenant or Commander.
8. Sergeants will follow the Department General Orders, City Policy and Labor Agreements in all cases of misconduct on the part of their subordinates.
9. Sergeants will, unless otherwise directed by a command officer, respond to any emergency or occurrence of a serious nature, the subject matter of which falls within their duty assignment or division, in accordance with departmental procedures, unless their presence at the station or another location would be of more value under the circumstances. All such incidents will be reported verbally or in writing to their Lieutenant/Commander as soon as possible. Sergeants will be thoroughly knowledgeable of the Agency's current Critical Incident Policy, Incident Command System, and operating procedures, or other function, for which they must supervise.
10. Sergeants will frequently observe the member under their supervision to determine their knowledge of the rules, regulations, policy and procedure, and of all the other matters pertaining to their duties.

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11. Sergeants will assist subordinates in the documentation of their cases and will consult with suitable authority when in doubt as to law, procedure, or status of a case.
12. Sergeants will frequently respond to routine calls to observe the manner that members respond to and handle calls, noting their degree of promptness, efficiency and competence.
13. Sergeants will prepare performance evaluations for each member under their supervision when required and upon such forms as required by the Agency.
14. Sergeants will have a working knowledge of all applicable state laws, city ordinances, Agency policies and procedures, rules, and regulations.
15. Sergeants will assist and instruct the personnel under their supervision on the proper performance of their duties, giving special attention to members serving their probationary period.
16. Sergeants will support personnel under their supervision when they act correctly as well as take corrective action when they act incorrectly.
17. Sergeants will pay particular attention to all personnel assigned to special details under their supervision. Whenever practical, they will make the necessary provisions for the relief of such personnel when the length or nature of the detail is such that unreasonable personal discomfort would result if relief were not given.
18. Sergeants will submit through the appropriate channels, any actions of another employee that they believe merits consideration for commendation.
19. Sergeants will, at the start of their tour of duty, familiarize themselves and subordinates with entries made in the Patrol Briefing Book/Pass-along Log, and review current bulletins or other sources of criminal intelligence.
20. Sergeants will ensure that their subordinates make all required reports promptly and that such reports will be complete, legible, grammatically correct, and on the proper forms.
21. Sergeants will ensure that all communications, orders and directives emanating from the Police Chief, Division Commanders, Lieutenants and all requests for assistance from one Division or Section to another will follow the chain of command, except in emergencies where the element of time renders this procedure impractical and/or ineffective in the proper and expeditious performance of police duties.

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22. Sergeants will exercise direct supervision over subordinate members outside their usual supervision in all situations where the police purpose or the reputation of the Agency is in jeopardy. Sergeants, however, will not unnecessarily give orders to subordinates who are not assigned to their supervision. Whenever orders are given that require the subordinate receiving them to leave their regular post or assignment, the Sergeant giving the orders will, as soon as practical, inform the member's supervisor.
23. Sergeants will, unless otherwise ordered, be present at the regular roll call of their subordinates and will inform or cause their subordinates to be informed of all duty assignments, orders, instructions, and pertinent information relating to police business as determined by the on-duty commander.
24. Sergeants will ensure that the authority commensurate with their rank or position will always be utilized in the best interest of the Agency and will not be abused in any way.
25. Unless otherwise directed, Sergeants will ensure that all personnel under their supervision proceed to their assignments without unnecessary delay. At the completion of their tour of duty, they will ensure that all of their personnel have been relieved or accounted for before clearing from duty and then notifying the on-duty commander or relief supervisor.
26. Sergeants will notify their Division Commander of all matters of importance, emergencies, and other unusual circumstances that occur during their tour of duty.
27. Sergeants will be responsible for ensuring that major crime scenes are adequately preserved, processed and investigated until the Investigations Section assumes the responsibilities surrounding the crime scene and investigation.
28. Sergeants will be proficient in the duties of their subordinates and will perform these duties when the need arises. Although this position is primarily supervisory in nature, it does not relieve the Sergeant from providing those police services normally conducted by subordinates such as directing traffic, effecting arrests, or such other duties of general police service when the situation requires.
29. Sergeants will respond as back-up officer when their response is the most efficient and/or timely response as dictated by circumstances.

B. Lieutenants/Commanders

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1. The Lieutenant/Commander will provide an orientation to the Sergeant consistent and documented in the Manual.

2. The Lieutenant/Commander will determine that the Sergeant's performance is either "Satisfactory" or "Unsatisfactory" during each month. The Sergeant must demonstrate satisfactory performance for at least 10 months of the twelve month period. In the event there is more than two unsatisfactory months during the twelve month period, the Lieutenant/Commander will provide remedial training and a month evaluation period will be added until the Sergeant attains the established performance standard. **However, a probationary Sergeant who demonstrates unsatisfactory performance in three months will be removed from the position.** The remedial training should not extend beyond the one year probationary period unless prior approved by the Uniform Services Division Commander and Chief of Police.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: ASHI Training Center Policy	OM: F405	
Rescinds: OM F405 Revised: 09/12/09	CFA: 5th	Revised: 09/08/16
Reference: ASHI Training Guidelines		

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405.2	<u>Quality Assurance and Improvement Procedure</u>
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405.4	<u>Equipment Maintenance and Decontamination Procedure</u>
405.5	<u>Professional Conduct Policy</u>
405.6	<u>Training Section Communications Policy and Procedure</u>

405 Purpose

The purpose of this operating manual is to outline procedures to maintain certification as an American Safety & Health Institute (ASHI) training center and to provide excellent training for our members.

405.1 Quality Assurance and Improvement Policy

It is the Training Section's responsibility to maintain the goodwill associated with ASHI and its programs. The Training Section's policy is to continually strive for high standards of quality in the administration and delivery of ASHI programs.

405.2 Quality Assurance and Improvement Procedure

As part of the Palm Bay Training Section's efforts continually to improve the quality of its courses, the following procedures will be implemented by all Agency instructors.

- A.** Instructor courses will be conducted according to ASHI's published standards. Normal class parameters with respect to class length, student-to-instructor ratio, student-to-equipment ratio, classroom characteristics, audio-visual materials, etc., are defined in the ASHI Program Standards. When one of these variables exceed the limits as defined by ASHI, the Training Section

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policy is to adjust one or more of the other variables to account for this (for instance, if there are additional students and the instructor number cannot be increased, the course length must be increased). In these instances, Instructors will confirm with the Training Section the acceptable accommodations to be made for students.

- B.** Instructors will confirm classes with the Training Officer no later than 3 days before classes start to confirm course, class location, start time, maximum size, and other variables including if there are any students who require specific accommodations per the Americans with Disabilities Act.
- C.** Course evaluations will be made available to every student at the end of every class. The instructor will return the evaluations with the class rosters. Instructors are not to have students complete the evaluations prior to the end of class.
- D.** The Training Section supervisor will review all student evaluations and will make them available to the Instructor.
- E.** Periodically, the Lead Medical Instructor will complete a teaching evaluation on the instructor who taught the class.
- F.** The Palm Bay Training Section will monitor its Instructors to ensure that they comply with all ASHI requirements. When an Instructor fails to comply with a requirement, the Training Section will institute appropriate corrective measures. If an Instructor consistently fails to comply with requirements, the Training Section will discontinue use of the instructor for ASHI programs and notify ASHI.

405.3 Equipment Maintenance and Decontamination Policy

All equipment used to train Agency members must be in good working condition and decontaminated appropriately after each use.

405.4 Equipment Maintenance and Decontamination Procedure

- A.** The Training Officer or Instructors will check their equipment no later than 24 hours prior to the start of class to ensure fully charged batteries, all equipment is working appropriately, and all equipment has been cleaned.
- B.** After class, Instructors will decontaminate all equipment according to the manufacturer's specifications.

405.5 Professional Conduct Policy

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Subject: ASHI Training Center Policy	Operating Manual: F405

As representatives of ASHI and of the Palm Bay Training Section, all staff members are expected to maintain the highest levels of professionalism in their interaction with each other and with students. Standards of conduct, dress, and hygiene must be maintained. Personal biases must not be identifiable from the actions or words of any employee. Behavior indicative of prejudice or in any way inappropriate for the workplace will not be tolerated.

405.6 Training Section Communication Policy and Procedure

The Palm Bay Training Section is committed to communicating effectively with its instructors and students. The Instructors will inform students in each class how to access the ASHI web site.

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Subject: Investigations Division Training Manual	OM No: G405	
Rescinds: OMG405 Revised: 03/23/10	CFA 5th:	Revised: 05/13/15
Reference:		
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405	<u>Purpose</u>	
405.1	<u>Training Program</u>	

405 Purpose

Every newly assigned and temporarily assigned police officer to the Investigations Division will receive an orientation and training in the policies, procedures, functions and operation of the Investigations Division. Training will include, but is not limited to: specialized techniques in interviewing, interrogation, the investigative process, crime scene and forensic procedures. Advanced training should be learned from specialized schools which the trainee, must attend as soon as possible. The training will begin with an orientation to the operational procedures of the entire Investigations Division. It will then focus on the job task specific to the officer's assignment to the unit or component of the Division.

405.1 Training Program

A. Scheduling and Assignment - The Investigations Division Commander, or designee, will assign and/or schedule the trainee to one or more experienced Investigators as designated trainers. The first 40 hours will be orientation training on equipment, rules, procedures, resources and the general operational functions of the entire Investigations Division. The next phase of training will focus on assignment-specific training and will be a minimum of 80 hours, up to 160 hours, based on the needs of the trainee, at the discretion of the unit supervisor, with approval from the IDC. The trainee must agree, as part of his/her acceptance of the assignment, to have reasonable flexibility of his/her work schedule in order to accommodate required training and prevent, or minimize, the accrual of overtime pay. With the approval of the IDC, the trainee may accrue overtime pay for call outs where the trainer or supervisor deems it necessary to have the trainee respond to crime scenes for training purposes.

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B. Training Process

1. **General** - The trainer will follow the guidelines in this manual and use the appropriate reference material (e.g. General Orders, Operating Manuals, etc.) when needed. The trainer's supervisor will assign the sections of this manual to be completed. The trainee should be assigned to more than one trainer during the entire training period. The IDC, or designee, may coordinate with the supervisor, or supervisors, to arrange for specific trainers, or training, for the trainee during the training period. The IDC, or designee may reduce the amount of specified time for Investigator Trainees who have been previously assigned to the Investigations Division.
2. **Progress Reports** - An Investigator Trainee Progress Report, (ITPR- Attachment A) will be completed for every 40 hours of training. The IDC, or supervisor, may require additional or more frequent ITPRs if the trainee requires remedial training to complete the program. The ITPR will be an overview of training covered, the trainee's overall performance and whether any remedial training is necessary. The ITPR will be reviewed and signed by the trainee, trainer, trainer's supervisor, Deputy ID Commander and the IDC. The extent and duration of remedial training provided will be determined based on recommendations from the trainer(s) and linked to the deficiencies demonstrated. The Investigations Division Commander has the discretion on the duration of remedial training provided.
3. **Manual Guidelines and Use** - After covering the assigned section of the manual with the trainee, the trainer will ensure that the trainee has a thorough understanding of the topic covered by verbally quizzing the trainee on material reviewed. Whenever practical, the trainee should be allowed to demonstrate his/her knowledge of the training material. As each section of the manual is completed, the trainer and trainee will indicate completion with their initials and badge number. At any time during the training period, the trainer may review a section already covered if the trainer deems it necessary or the trainee requests the review. The trainer should document the review in the ITPR as remedial training. The trainer's supervisor will periodically review the manual during the training period to ensure that training is proceeding properly and within the allotted time constraints. The supervisor may interview the trainer and/or trainee at any time to discuss the progress of the trainee. The trainee's supervisor may provide training on one or more sections of the training manual and sign off on any material covered.
4. **Completion of Training Program** - All sections of the training manual must be completed and signed off before the trainee may act as a solo

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Investigator. All ITPRs must be completed. The last trainer and trainer's supervisor will document a recommendation for the trainee to go solo or recommend additional remedial training in specified job requirements. The completed manual and ITPRs will be forwarded to the IDC for final review. The IDC may assign the trainee as a solo Investigator or continue remedial training for the trainee with a definitive number of additional remedial training hours. The IDC should seek recommendations from the trainers and supervisors to assist him with his decision.

5. **Retention of Completed Training Manual** - The IDC will forward the original completed manual and all ITPRs to the Department's Training Section for retention. A copy of the completed training manual will be retained in the new Investigators' performance evaluation Blue Book file.
6. **Orientation - Length - 40 to 80 Hours** - Orientation will be focused on an introduction to the Investigations Division general operations and procedures, expectations of an Investigator, organization, required equipment, resources available and becoming familiar with the case management system. The assigned Investigator trainer will complete all topics listed on the Investigations Division checklist with the new Investigator trainee.
7. **Phase Two- Length - 80 to 120 Hours** - Phase Two - The Investigator trainee will be assigned to the specialized unit for which he/she was selected. The trainee will receive specialized training in the job tasks of the specialized unit. The assigned Investigator trainer will complete all topics listed on the appropriate specialized section training checklist with the new investigator trainee.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Range - Shoot house	OM No: H405	
Rescinds: None	CFA 5th:	New: 11/09/16
Reference:		

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405.2	<u>Definitions</u>
405.3	<u>Responsibilities</u>
405.4	<u>Procedures</u>
405.5	<u>Safety Rules</u>

405 Purpose

The purpose of this policy is to establish specific guidelines for the safe and efficient use of the shoot house which allows 360-degree live fire shooting scenarios. The live fire shoot house is used to train personnel with simulated realistic, stressful, decision-making scenarios. This policy describes the methods to be used in conducting safe live-fire exercises inside the shoot house.

***** Live fire within the shoot house area berm enclosure and outside the shoot house is not permitted.**

405.1 Scope

This policy applies to all shoot house operations to include training, demonstrations, rehearsals, testing or evaluation, and live fire or dry practice exercises, under both day and night conditions. These procedures apply to certified instructors and authorized staff. Failure to comply with the safety rules presented in this policy may be cause for removal from the live fire shoot house, and/or failure to comply with the live fire shoot house weapon and ammunition restrictions may result in the loss of training privileges at the range.

405.2 Definitions

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Subject: Scenario Training	Operating Manual: B405

- A. **Shoot House Instructor** - An experienced firearms instructor who has been certified by the Criminal Justice Standards and Training Commission (CJSTC) to instruct Law Enforcement Offices in the use of firearms and successfully completed a Shoot House Instructor Course.
- B. **Live-Fire** - A shooting session conducted in the live fire shoot house using loaded firearms.
- C. **Non-lethal Training Ammunition Instructor** - An experienced instructor who has been certified to teach Law Enforcement Officers in the use of Non-Lethal Training Ammunition. (Examples: Air Soft & Simunitions FX Marking Cartridges).
- D. **Cat Walk Instructor** - Controls the Shoot House operation, observers on the cat walk, and ensures rooms are clear before and after exercises.
- E. **Training Officer In Charge (TOIC)** - Responsible for setting up and running scenarios; will work closely with the TSO and Training Section representatives to ensure the safety of participants while focusing on achieving the training objective; responsible for giving evolution brief and debrief; an assistant may be used to help with debriefs in the interest of preventing down time. TOIC may be an active participant in the scenario.
- F. **Training Safety Officer (TSO)** - SOLE responsibility is to ensure the safety of all scenario personnel; should be a person of rank, or given positional authority for the duration of the training session; will read the Safety Brief in full and advise on the emergency plan in the event of an accident or injury; TSO will conduct pre-scenario personnel and equipment inspections and is accountable for verification of training ammunition and props to be used. The TSO or his designee (one person) will supervise the inspection, handling and loading of all training ammunition. (Ammo should not be handed out to participants for loading their own weapons.) This same individual will issue and take receipt of training weapons at the start/end of each evolution of training. It will be the TSO who designates when the range will be called "Hot" (to commence training) or "Cold" (to cease training) and is responsible for training area security. The TSO is an inactive participant of the scenario and shall not engage in the training or assessment during the training.
- G. **Student/Shooter** - Any participant (with the exception of an instructor) who enters the live fire shoot house as part of the exercise and is carrying a firearm. Any individual who meets this definition is to be considered a shooter

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for purposes of instructor-to-shooter ratios at all times until the exercise has been terminated.

- H. Role Player(s)** - Have the greatest influence on whether training is successful or not, must be able to follow instructions and adhere to the plan and goals designated in the scenario; must exercise good judgment and self-control; personnel that will refuse to "die" or only desire to defeat participants will negatively impact training goals.
- I. Range Guards** - May be posted as needed to prevent unauthorized or unsearched personnel from entering the Safe Zone.
- J. Target Room** - A room within the live fire shoot house that is constructed of ballistic walls, contains portable bullet traps, and is designed to stop pistol caliber ammunition by impact in either the bullet trap or the ballistic wall.
- K. Simunitions** - A brand name for a product line of training equipment that includes both non-lethal and lethal training ammunition, weapons conversion kits, and safety equipment.
- L. FX Marking Cartridges** - Non-lethal paint marking training ammunition produced by Simunitions and designed to be chambered and fired from a weapon that is either designed (Glock 17T) or converted (a regular firearm with a conversion kit, AR-15, shotgun, or any number of pistol models) to fire this training cartridge. It is classified as "reduced energy" ammunition that travels at approximately 400 feet per second, and is accurate to six inches at 25 feet. It is currently available in six different colors (red, white, blue, green, yellow, and orange). FX cartridges should not be fired in non-converted weapons as the smaller caliber projectile may tumble and become lodged in the barrel of a standard weapon. FX cartridges come in six colors to aid in identifying which participants/role players shot whom or missed.
- M. CQT Cartridges** - Live lethal ammunition designed to be fired from the same converted firearm as FX Marking Cartridges. The projectile is solid, black in color and is made of a polymer. It travels at approximately 800 feet per second and is capable of penetrating up to two inches of flesh. This ammunition was developed to allow for realistic firearms training in areas where conventional range facilities are not available using converted firearms.
- N. Simunitions Converted Firearms** - Standard live weapons that have been altered to chamber Simunitions FX or CQT cartridges by means of a conversion kit. Simunitions/SNC Technologies will not guarantee that a live round cannot be chambered in a converted weapon; they only state that the

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conversion kit will “preclude” the loading of standard, live ammunition. Any converted firearm shall be clearly marked with bright blue tape conspicuously applied to make the weapon clearly identifiable in the training environment as being converted for Simunitions use only. (FX cartridges are NOT to be used in standard, non-converted duty firearms as part of the cartridge may lodge in the barrel creating an obstruction.)

- O. Glock 17T** - A firearm manufactured by Glock that is dedicated for sole use as a training tool to be loaded only with Simunitions ammunition. This firearm and its magazines are readily identifiable in the training environment as the frame of the gun and butt pad of the magazines are bright blue in color.

P. Less-Lethal Safety Equipment

- 1. Helmet/full-face mask** - Rated to ANSI Z87.1 or higher. Masks should be tested prior to wear by firing FX cartridges into them to test durability (not while worn).
- 2. Neck/throat protector** - Simunitions brand or rated to stop .30 caliber projectile at 400 fps.
- 3. Long sleeve shirt/pants** - To prevent welts/abrasions from cartridges or falls. The following equipment is highly recommended:
 - a. Gloves** - To protect exposed skin.
 - b. Groin protection** - Athletic cup or protection worn outside clothing.
 - c. Reflective vests** - For safety personnel and non-participating observers.

Q. Live-fire Safety Equipment

- 1.** Ballistic vests **will** be worn during training.
- 2.** Wrap around eye protection or goggles **will** be worn.
- 3.** Ear muffs and ear plugs **will** be worn.
- 4.** Billed hat or ballistic helmet **will** be worn.
- 5.** Long sleeves and long pants **will** be worn.

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R. Authorized Users - Instructors who lead classes or training shall have proper certifications to instruct students in the discipline. In order to lead live fire training, the instructor must be a certified FDLE Firearms and Shoot House Instructor.

405.3 Responsibilities - Although each individual is responsible for his or her duties listed in this section, these duties may be delegated to another individual who is equally qualified to perform the same function:

A. Range Master - Responsible for the safe operation and maintenance of the Live-Fire Shoot House (LFSH) and all activities at the LFR.

B. Range Safety Officer - The Range Safety Officer (RSO) is the designated and trained instructor that is responsible for safety during live fire training in the live fire shoot house.

C. Lead Instructor - The Lead Instructor is responsible for the overall conduct of training at the live fire shoot house.

D. Instructors - The instructor is responsible for the supervision and safe conduct of all training activities, whether live fire or dry runs, within the live fire shoot house as well as the following:

1. Position targets and bullet traps to prevent an errant round from crossing the path of another shooter's movement within the target room.
2. Ensure instructor-to-shooter ratio.
3. Ensure all students and observers have received a safety briefing that includes the live fire safety rules.
4. Blow the "STOP" whistle and/or announce "CEASE FIRE" in the event of a safety violation.
5. Observe the loading and unloading of weapons.
6. Ensure the LFSH is clear of personnel before training begins.
7. Conduct demonstrations for students, as appropriate.
8. Ensure there is no trash, trip hazards, expended ammunition residue, or pooled water on the floor of the live fire shoot house rooms.

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9. Ensure everyone in the live fire shoot house, including persons on the elevated observation control platform, are wearing appropriate personal protective equipment (PPE) prior to beginning of training.
 10. Supervise and control the issue, use, turn-in, and disposal of all ammunition and diversionary devices used during training.
- E. Assistant Instructor** - The Assistant Instructor is responsible for assisting the Lead Instructor in the safe conduct of live fire shoot house training.
- F. Shooters** - Shooters in the shoot house are responsible for following the directions of instructors and the requirements of this policy at all times. Failure to do so may be cause for removal from training. In the event of a "CEASE FIRE" command or upon hearing a "STOP" whistle, stop movement, stay in place, place trigger finger straight along the frame of the weapon, and await further commands from the instructor.
- G. Observers** - All observers are responsible for following the safety rules established for the live fire at all times. Failure to comply with these safety rules may result in removal from the live fire shoot house.

405.3 Procedures

- A. Scheduling** - Outside agencies or groups using the shoot house shall provide their own trainers/firearms instructors. The requester for the use of the shoot house will contact the Secretary of the Recruiting and Training Unit at least 15 days prior to the requested date to ensure availability.
1. Prior to scheduling, the requesting agency/group shall provide proof of certification of all instructor(s) such as firearms and shoot house instructor.
 2. A Firearms Range Use Agreement form must be filled out and emailed to the Secretary of the Recruiting and Training Unit. Once received, the Recruiting and Training Unit designee will confirm the request.
 3. The request must include what special equipment that the personnel will utilize for the training.
 4. All agencies utilizing the Shoot House are responsible for providing an instructor/student ratio that is adequate for safe and effective training.

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5. The shooter(s) will be given a general safety briefing from the instructor before training.
6. Prior to and upon completion of scheduled shoot house use, the user shall conduct a walk-through inspection of the condition of all walls and bullet traps, recording results on the Shoot House Inspection Form with a range facility staff member.

B. Instructor-to-Shooter Ratio - All live fire shoot house users must comply with the instructor-to-shooter ratios. The minimum floor ratios will be 1-to-4 for all less lethal training and 1-to-1 for all live fire training. When exceeding the minimum floor ratios, there must be a Lead Instructor and Range Safety Officer present during all operations; these individuals will not be included in the floor ratios. The Lead Instructor may also perform Range Safety Officer duties if approved by the Range Master.

C. Weapons and Ammunition Allowed - Failure to comply with the live fire shoot house weapon and ammunition restrictions may result in the loss of training privileges at the shoot house. Concealed weapons are prohibited. The NTC LFSH is designed and built for the use of handgun-caliber, non-lead, frangible ammunition, and DOE-approved 5.56mm frangible non-lead rifle ammunition. All personnel within the LFSH will ensure that only approved firearms and ammunition are used during training. Note: All ammunition needs to be test fired on steel before it can be approved for the shoot house.

1. **Weapons Allowed** - Agency-approved conventional caliber handguns, handgun caliber submachine guns, rifles firing agency-approved frangible non-lead 5.56mm ammunition, and shotguns firing breaching rounds. In addition, weapons modified to fire dye-marking cartridges, and weapons firing 37mm or 40mm training and practice (TP) rounds, may be used if approved by the Lieutenant of the Recruiting and Training Unit.
2. **Ammunition Allowed** - Agency-approved, frangible, non-lead handgun ammunition. Agency-approved 5.56mm frangible, non-lead rifle ammunition. In addition, shotgun-breaching rounds, DMC ammunition, 37mm and 40mm TP ammunition, and approved diversionary devices may be used if approved by the Lieutenant of the Recruiting and Training Unit. Dye-marking cartridges may be used on a case-by-case basis if approved by the Lieutenant of the Recruiting and Training Unit.

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3. **Not Allowed** - Lead, hollow point, semi-wadcutter, non-approved rifle caliber, or non-frangible ammunition.

D. Targets and Bullet Traps - Various types of approved targets may be used in the live fire shoot house. Target placement must meet the requirements of this section for each type of target used. If a target or target system fails to meet these requirements, it cannot be used in the live fire shoot house. Targets will be placed on bullet traps so the maximum effective area of the trap is utilized to contain rounds and prevent rounds from penetrating the construction joints of the trap.

1. **Paper Targets** - Paper targets are stapled to the bullet trap and centered, left to right, on the bullet trap. The head-scoring zone of the target must be placed a minimum of 6 inches (15 centimeters) below the top of the bullet trap.
2. **Three-dimensional (3-D) Targets** - 3-D targets may be used in front of the bullet traps or other backstop materials. The targets must be placed in front of, and centered on, bullet traps.
3. **Bullet Traps** - Only bullet traps approved by the Range Master are allowed in the live fire shoot house. Any bullet trap in need of repair will not be used and will be taken out of service. Bullet trap legs should be placed approximately 8 to 12 inches (20 to 30 centimeters) from the wall to ensure they will not tip forward when struck by projectiles. Bullet traps may be laid on their side to simulate prone positions. When a bullet trap is laid on its side, the lower edge of the bullet trap should be at least 8 to 12 inches (20 to 30 centimeters) from the wall to prevent it from tipping forward when struck by projectiles.
4. **Bullet Trap Positioning** - Bullet traps will be positioned so that if a round misses a target, it will not cross the path of another person's movement. Bullet traps will be positioned so that a shooter cannot engage a target at less than a 60-degree angle. Blinders, obstructions, or other means may be used to accomplish this angle limitation. Bullet traps will not be positioned to allow a shooter to fire from a weapon retention position at the head of a target. This would allow weapon elevation beyond parallel to the live fire shoot house floor.

405.5 Safety Rules

A. The Shoot House General Safety Rules

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1. When operating in the shoot house all shoot house certified instructors and students shall wear the following:
 - a. The certified instructor **MUST** have a whistle or air horn on their person at all times.
 - b. Body armor **will** be worn shooters and instructors at all times.
 - c. Clear, rose, or yellow lenses wrap around eye protection, face shield or goggles are required to be worn at all times. No sunglasses are permitted.
 - d. Full cover ear protection is recommended. Plugs may be used if the helmet or headgear prohibits full cover protection.
 - e. Billed hat or ballistic helmet **will** be worn during training.

B. Firearms Safety Rules:

1. All Basic firearms rules will be in effect including but not limited to:
 - a. Finger off the trigger until the target is to be engaged.
 - b. Weapons are to be loaded **ONLY** on command of the Range Safety Officer.
 - c. Weapons will be checked before and after each exercise in a designated safety area.
 - d. The command "Coming In/ Coming Out" will be given prior to entering and prior to exiting the Shoot House at all times.
 - e. Do not leave the training area without the permission from the Range Safety Officer.
 - f. Do not enter the training area without the permission from the Range Safety Officer.
 - g. All weapons will be pointed forward or downward unless engaging a target.

C. Live Fire Shoot House Safety Rules (see form)

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1. Live Fire Safety Rules will be read and signed by all personnel utilizing the Shoot house for live fire.
2. A safety line will be set up and maintained at the entrance of the Shoot house driveway.
3. Eye and ear protection are required.
4. **BODY ARMOR TO BE WORN BY SHOOTERS AND INSTRUCTORS AT ALL TIMES.**
5. No muzzles pointed upward at any time.
6. No shooting or placing targets in or above Red - "NO FIRE ZONES".
7. No shooting at doors and on or above the "red line".
8. Only frangible ammunition or Simunitions allowed.
9. Weapons are to be loaded only on command.
10. In an effort to ensure safety, no target(s) will be placed in a position that will cause the props to be hit.
11. No steel targets in the Shoot House.
12. The instructor on the Catwalk will ensure the Shoot House is empty and clear prior to next shooter entering.
13. Firearms Training Facility Staff Officer must accompany personnel on the catwalk when live fire is taking place.
14. Weapons will be checked before and after each exercise.
15. "Finger off trigger" & "Muzzle discipline" will be maintained at all times.
16. Distraction devices, gas and pyrotechnic canisters may be used with prior approval from Firearms Training Facility Manager.
17. Report any damage at the time of training.
18. Conduct live fire training one group at a time.

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19. No personnel shall leave the Shoot House training area without the permission of the Firearms Training Facility Safety Officer. All weapons must be checked by the same safety officer upon personnel returning to the Shoot House training area.
20. Exterior doors will be either locked or manned during exercises.
21. The command of "coming in" and "coming out" will be given prior to entering or exiting the Shoot House.
22. Anyone may call for a cease-fire for any safety violation.
23. At the sound of the whistle or air horn all action will cease.
24. Targets that have fallen or are passed by may not be engaged.
25. Shoot House clean-up is the responsibility of the users.
26. Instructors shall control and direct all courses of fire in the shoot house.
27. Bullet traps shall be utilized with targets when possible.
28. Report any injuries immediately.
29. Kicking in of doors is prohibited.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Tactical Rappelling Operations	OM No: I405	
Rescinds: None	CFA 5th:	New: 03/14/17
Reference:		

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405	<u>Purpose</u>
405.1	<u>Procedures</u>
405.2	<u>Philosophy</u>

405 Purpose

The purpose of this policy is to reduce rehearsal time by facilitating communication between team members, provide clear guidance on assignments and responsibilities, and focus limited training time by providing a guidance on safe, realistic, officially approved, job related rappel training.

405.1 Procedures

- A.** The primary reasons for conducting tactical rappel operations by the Palm Bay Police Department SWAT Team are:
 1. Intelligence gathering (Placing technical equipment such as video/listening devices).
 2. To create a diversion from the primary entry point.
 3. To enter an unoccupied room in order to clear a floor.
- B.** The SWAT Team or other personnel approved by the training section will also conduct rappel training under the supervision of a certified rappel master in order to:
 1. Build self-confidence in team members.
 2. Enhance team work.

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- C. Other agencies/entities wishing to use the rappel tower will be approved by the Training Unit Commander or designee prior to being allowed on the tower. In all cases, any agency or group using the tower will follow the guidelines of this policy and will be required to have an approved rappel master oversee the training as described in this policy. The agencies/entities Rappel Master will provide a copy of their Rappel Masters Certification to the Training Coordinator to be kept on file prior to any training being conducted on the tower.

405.2 Philosophy

- A. Rappel Master Qualifications** - The SWAT Team Commander will evaluate training options and establish criteria for the selection of the Team Rappel Master(s). The SWAT Team Commander will consider individuals based on overall experience and training which may include the following:

1. **Formal rappel courses** - Courses will be evaluated based upon their curriculum and potential applicability to law enforcement rappelling.
 - a. Law enforcement
 - b. Military
 - c. Fire Rescue
 - d. Civilian
2. **Instructor Skills** - A graduate of the instructor techniques course preferred, but not necessary if waived by the SWAT Team Commander.
3. **Continuing Education** - The Rappel Master must be able to articulate his/her training, experience, judgement, methods and safety procedures.

B. Rappel Master Responsibilities/Rappel Tower Training:

1. Safety
2. Draw all equipment
3. Inspect all equipment
4. Inspect the tower for serviceability

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5. Rig the tower
6. Give a rappel brief
7. Inspect all personnel prior and during rappel operations
8. All phases of actual rappel operations
9. De-rig the tower
10. Debrief and critique of personnel
11. Evaluation and documentation of training

C. SWAT Team Commander Responsibilities

1. **Deployment** - The Commander will determine the mission requirements as related to employment of personnel a tactical rappel operation. Deployment will be supervised by the team Rappel Master.
2. Ensure that all rappel training is conducted in accordance of this policy. Schedule training on a periodic basis to maintain proficiency.
3. Select the team Rappel Master(s).

D. Prohibited Training:

1. **Slack Jumps** - Extra/excess rappel line is pulled up between the anchor point and the rappeller. A slack jump will only be used to clear an immediate obstacle, and only the amount of extra rappel line necessary to clear the obstacle will be allowed.
2. **Australian Style Rappelling** - The carabiner is hooked up on the backside of the rappeller, and the rappeller faces the ground while travelling down the rope. There is no law enforcement tactical justification; therefore training with the Australian style rappelling is prohibited.

E. Training

1. **Individual Skills.** There are numerous individual skills that must be mastered in order to prepare the team for a vertical entry capability. Training will progress from basic individual skills to precision team entry

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techniques. The following skills are considered necessary for a vertical operation and will be considered approved training:

- a. Self-rescue
- b. Self-belay
- c. Use of rope bag/pack on rappel
- d. Non-weapon brake
- e. Inverted rappel
- f. Use of chemical mask
- g. Window entry techniques
- h. Weapons management on rappel
- i. Breaching

2. Team concepts - Team skills build on the individual team skills above to develop a precision team entry capability. Some team's skills are:

- a. Buddy rescue
- b. Team diversion and entry tactics
- c. Precision rifle observer coverage of the rappel team

F. Rappel Tower Operations

1. Training - The rappel tower is used for the introduction to rappelling for the new team members and for refresher training for all team members. Training is conducted in phases to include rappelling without tactical gear, rappelling with tactical gear, advanced tactical skills, entry techniques, self-belay and night rappelling with and without gear.

2. Safety - The following personnel and equipment is required to be present during rappel training:

- a. An Agency approved Rappel Master must be present at all times

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- b. One safety officer (SWAT Commander or designee)
- c. An emergency plan
- d. One belay man per rope station

3. Rappel Tower Preparation

- a. All rope stations will be rigged with at least two anchor points (The decision to use less than two anchor points rests solely with the Rappel Master. The decision will be based on the Rappel Master's experience and judgment). The first anchor knot will be middle and/or end of the rope knot and the second will be an end of the rope anchor knot. Note: All slack will be taken out between the knot to create equal tension on the anchor points.
- b. All ropes should be doubled for initial rappel training. Single lines may be used and offer tactical advantages during a critical incident.
- c. All surfaces with sharp or rough spots that may contact the rope must be padded.

4. Inspection requirements - The Rappel Master is in charge of the tower and is responsible for visually and physically inspecting the rappel tower and every item of equipment before training commences.

5. Safety Procedures

- a. The static tower will not be utilized during thunderstorms or during excessively high winds. If the platform is slick from rain, the training will be delayed until conditions are safe (at no time should the rappel tower be occupied when lightning is present).
- b. No more rappellers will be at a rope station than is considered safe by the Rappel Master.
- c. Rappellers who appear to be experiencing uneasiness toward heights should train at lower heights until their confidence level warrants moving up.
- d. The Rappel Master or Safety Officer will re-inspect all individual rappellers' equipment for proper donning and serviceability prior to ascending the tower and prior to descending the rope.

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- e. The Rappel Master will be secured to the static tower with a safety line.
- f. Never will a rappeller descend without proper gloves on both hands.
- g. At no time shall a team member step on a rope.
- h. No bounding will be permitted due to stress placed on the ropes and anchors.

6. Conduct of training

- a. **Rappel/Safety Brief** - Prior to commencement of rappel training, the Rappel Master shall conduct a rappel/safety and should address, at minimum, the following:
 - Tower safety
 - Tower commands
 - Proper rappelling techniques
- b. Demonstration.
- c. Before climbing the ladder, each rappeller will have all equipment checked by the Rappel Master or Safety Officer. Once off the ladder/stairway, the rappellers will be directed to a rope station.
- d. **Tower procedures**
 - Once directed to a rope station, the Rappel Master will ensure proper hook up for rappelling.
 - Upon hooking up, the rappeller will sound off with “(NAME) ON RAPPEL”, and the belay man will sound off with “(NAME) ON BELAY”.
 - While maintaining the brake, the rappeller on command from the Rappel Master will step to the edge of the tower and face the anchor point.

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- On the command “GOOD TO GO” from the Rappel Master, the rappeller will assume the “L” shape position and rappel.
- The belay man will wrap the running end of the rope around their waist and, if the rappeller loses control, pull back on the rope. The belay man will not wear gloves and must watch the rappeller at all times.
- Once the rappeller is on the ground, the belay man will grasp the rope in front of the rappeller and hold it as the rappeller walks backward. The rappeller will hold hands over the snap link to prevent being hit in the face with the end of rope.
- Once clear, the rappeller sounds off “(NAME) OFF RAPPEL” and at the same time, clapping both hands over their head.
- Once the rappeller has cleared the rope, the belay man sounds off with “(NAME) OFF BELAY”.

7. Documentation

- a. Training documentation including signed rosters and any other applicable documentation for the exercise.
- b. Rope log - the rope log documents the history of the usage of the rope. The Rappel Master will maintain the rope log.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Response to Calls for Service	Order No: 501	
Rescinds: GO 501 Revised: 04/22/15	CFA 5th: 14.03, 15.09	Revised: 02/06/18
Reference: GO 213, 302, 215. OM A502		

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501.2	<u>Officer/Desk Booking Specialist Responsibility</u>
501.3	<u>Mandatory Supervisor Response</u>

501 Policy

The Agency requires a safe, efficient, and professional response to calls for service. In order to accomplish this, each component (Communications Center, responding officers, and supervision) will adhere to this directive.

501.1 Communications Center Responsibilities - Communications members play a critical role in the Agency's professional response to calls for service. The Communications Center provides 24-hour two way radio capabilities which allow continuous contact with all members on duty. [**GO 302**](#)

A. General Responsibilities for Communications Members

1. Obtain correct information and enter into Computer Aided Dispatch, (CAD).
2. Determination of in-progress or not-in-progress calls for service.
 - a. In-progress calls of a serious nature may require a tone alert.
 - b. If in-progress, the complainant is kept on the line and available for updated information or questions.
 - c. Not-in-progress calls will be dispatched pursuant to Communications Center Operations [**<OM B302.35>**](#).

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3. Dispatch the correct and pertinent information to the officers responding by either Mobile Data Transfer (MDT silent dispatch), or radio.
 - a. This information includes any officer safety alerts flagged in CAD.
 - b. Communications members will keep responding officers abreast of any new information as soon as possible.
4. Dispatch officers by zone assignment and/or availability for in-progress calls.
5. Notify Fire Rescue if required or requested.

501.2 Officer/Desk Booking Specialist Responsibility - Members responding to calls for service will respond efficiently, effectively, and professionally. Members will also respond to calls for service which would normally be conducted through a phone call if the citizen requests face to face contact unless a sworn supervisor determines otherwise.

A. General Responsibilities

1. Acknowledge the information relayed by the Communications Center via MDT or Dispatch in accordance with required procedures. [GO 302](#)
2. Determine the location of incident and the most efficient route. Utilize this route unless re-directed by the Communications Center or a supervisor.
3. Adhere to requirements in Emergency Vehicle Operations. [GO 213](#)
4. Utilize CSPADE on in-progress calls where the criteria dictate a possible or actual critical incident. CSPADE provides for tactical handling of the call based on training in the coordination of tactical deployment, scene/suspect control and proven de-escalation or threat neutralization techniques. [GO 215](#)

C- Communicate and Coordinate

S- Stage

P- Plan

A- Assign

D- Deploy

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E- Execute

501.3 Mandatory Supervisor Response - Certain calls for service require a supervisor respond to calls for service in addition to assigned officers. The dangers to responding officers, danger to the public, or incidents that entail inter-departmental coordination typically characterize these calls.

A. Primary Incident Responses - The shift supervisor will issue a Staff Duty Notification via email or direct contact and respond to the following incidents:

1. Robberies.
2. Burglaries in progress.
3. Kidnapping (not to include child custody).
4. Incidents involving suspicious or accidental death.
5. Motor vehicle accidents that result in serious injury or death. Crashes involving any city owned vehicle.
6. Incidents involving barricaded subjects and/or hostages.
7. Any incident involving the discharge of a weapon by a member excluding firearms training and destruction of injured animals.
8. Incidents involving injured officers.
9. Bomb threats with device in these instances, the supervisor will notify the Emergency Management Coordinator.
10. Incidents of civil disorder or disaster. In these instances, the supervisor will notify the Emergency Management Coordinator and the City Attorney.
11. The arrest of any law enforcement officer, government official, or City of Palm Bay employee.
12. The death of any City employee within the city limits, to include City of Palm Bay government officials.
13. Disturbances or similar incidents involving an off duty police officer. This applies only to incidents within the City limits. For instances outside of the

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City limits, the supervisor will obtain all pertinent information regarding the incident.

14. Any incident where a shift supervisor deems his presence may be required or at the request of the assigned officer.

B. Supervisor Responsibility

1. The squad/unit/shift supervisor will monitor the activities of the assigned officers and ensure all actions by members are in compliance with departmental directives and law.
2. If the actions of the assigned member are inappropriate, the supervisor will advise, counsel, or relieve the affected member. The supervisor may also relieve the assigned member in charge of a scene if that member is failing in his/her obligation to properly conduct the investigation or handle the incident satisfactorily.
3. Once the supervisor relieves an officer that is in charge of an incident, assignment or investigation, the supervisor then assumes responsibility of that specific incident until resolved or relieved by higher authority. The supervisor may direct another member to assume control over the situation if appropriate.
4. The supervisor will monitor the actions of all members at the scene or assignment and will administer guidance or corrective actions, as required, to assure the successful completion of the call for service or assignment.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Call Handling & Preliminary Investigation	Order No: 502	
Rescinds: GO 502 Revised: 02/06/18	CFA 5th:	Revision: 03/22/19
Reference: <u>Call Handling & Preliminary Investigation OMA 502</u>		

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502.5	<u>Contact Situations and Reporting</u>

502 Policy

The Agency recognizes the importance of consistently providing professional services to the citizens of Palm Bay. This policy and accompanying Operating Manual A502 addresses key elements for providing a proper level of service to citizens while establishing standardized police responses to a large variety of calls for service. The elements for proper call handling and investigation are sectioned to provide for a comprehensive package. This policy and operating manual apply to all members tasked with handling initial calls for service or have initial investigative responsibilities.

502.1 General Guidelines

A. Safety - Primarily the safety of members and citizens is accomplished through consistent application of accepted police practices. Members will adhere to standardized response modes for different calls and tasks. Members will exercise safety practices and procedures as provided in training and Agency directives. Situations or calls for service that indicate a potential for a violent encounter or dangerous conditions require appropriate tactics, with sufficient back-up officers present, and should be employed whenever time and circumstances permit.

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- B. Legal Requirements** - Applicable legal authority, elements, and penalties provide members a basis for their response to handling certain calls or investigating certain crimes. Commonly used statutes and ordinances are available for immediate review so members can assess their responsibilities to citizens.
- C. Civil Process Service** - Officers are not authorized to serve civil process as such duties are the responsibility of a civil process server acting under the authority of the Brevard County Sheriff's Office or other lawful authority.
1. Exceptions are defined in Domestic Violence General Order [GO220](#).
 2. At the request of a process server or Sheriff's deputy, officers may provide back-up assistance during any civil process.
- D. Preliminary Investigation** - Basic preliminary investigation procedures will include, but are not limited to, the following applicable components:
1. Upon arrival at the scene, provide immediate care for the injured, observing all conditions, events, and remarks, (by suspects/victims/witnesses).
 2. Locate and identify witnesses and any party involved.
 3. Maintain the crime scene and protect evidence.
 4. Interview the complainant and the witnesses.
 5. Interview the suspect(s).
 6. Arrange for the collection of evidence.
 7. Arrest the suspect(s).
 8. Report the incident fully and accurately in a written report.
- E. Required Forms** - Calls and investigations requiring written reports and forms have been standardized to ensure the necessary paperwork accompanies the case file to its various locations. Completion of required forms is critical in the follow-up investigation and prosecution of offenders. A list of information and forms required for each call type is provided in [OM A502](#). Only forms located in DMS are approved and may be used for any official use. **No other** forms will be used or accepted.

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F. Standard Preliminary Narratives - OM A502 articulates the needed information within a report in order to effectively follow-up investigations. The section requires summarization of victim, witness, and suspect statements. Additionally, articulation of the elements of the crime, and a factual chronological account of the results of the investigation, among other requirements, must be included.

G. Follow-up Responsibilities - Follow-up responsibilities are clearly defined so members will know their investigative responsibilities. Follow-up responsibilities are designated so that other Divisions are accessible to initial responders in order to provide insight as well as further investigative techniques.

1. Members will refrain from advising citizens that their complaint will be automatically referred to another unit for investigation unless told to do so by competent authority.
2. Members will refrain from listing in their original report that the case will be turned over to a specific unit unless directed to do so by competent authority.
3. Any follow up investigation that the reporting member will complete will be done in a timely manner. If the member is unable to complete the follow up investigation for any reason (days off, vacation, etc), they will notify their supervisor who will assign the follow up to another member.
4. If a member follows up on an investigation that they did not initiate, the member will:
 - A. Complete a supplemental report.
 - B. Respond to the patrol log, or any other form of communication that was used to initiate the follow up, if it applies.
 - C. Notify the member's supervisor, the primary officer and the primary officer's supervisor by email.
5. If the new case information requires immediate attention, the member will notify their supervisor and take appropriate action.

502.2 Supervisor's Responsibility - It is the supervisor's responsibility to ensure adherence to this directive and related policies for all of their assigned members. Reports will be approved by the member's Sergeant and Lieutenant to ensure all

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of the required information is listed and that there are no typographical errors. If the report needs to be modified, the reviewing supervisor will send it back to the submitting member with an explanation as to what needs to be corrected. If no modification to the report is warranted, the Lieutenant will submit the report to Records. If the Lieutenant is not working, they will ensure that the acting Watch Commander (who did not author the report) completes this process.

- A. Supervisors will ensure that reports are submitted within 48 hours of the initial report. If the member is at the end of their working days, the member must have all reports submitted prior to the end of shift. However; if the member has made arrangements with their supervisor, they may submit the reports within the 48 hours.
- B. Supervisors will ensure that all follow up investigations which are to be completed by the reporting member is done so in a timely manner.

502.3 Operating Manual A502

502.4 Limited English Proficiency - Language barriers can inhibit or even prohibit individuals with limited English proficiency from gaining meaningful access to, or an understanding of important rights, obligations, and services. It is the policy of the Palm Bay Police Department to take all reasonable steps to ensure timely and equal access to all individuals, regardless of national origin or primary language.

- A. **Written Forms and Guidelines** - Certain forms will be translated into languages most likely to be used. These forms will be located in DMS.
- B. **Telephone Interpreter Services** - All phone translation services are conducted through the language line which is accessible via Communications.
- C. **Family and Friends of LEP Individuals** - While family and friends of a LEP individual may frequently offer to assist with interpretation; members should carefully consider the circumstances before relying on those individuals. For example, children should not be relied upon except in an emergency or critical situation. Further, the nature of the contact and relationship between the LEP individual and the individual offering services must be carefully considered (e.g., victim/suspect). Also, officer safety should be taken into consideration. For further information, refer to Section V (3) of the USDOJ **Guidance to Federal Financial Assistance Recipients**.

502.5 Contact Situations and Reporting - Members who use any form of communication assistance while speaking with a LEP person will notate that

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information (to include the name of the person performing the interpretation) in the CFS and/or written report if required by OMA 502. If an official translator is unable to be produced while the contact is made, the member must utilize the Language Line as described in OMA 302.30.

- A. Custodial Interviews and Booking Procedures** - In an effort to ensure the rights of all LEP persons are protected during any custodial situation; members will ensure that they provide every reasonable communications assistance depending on the encounter (i.e., violent, non-violent, emergency situation, etc.).
- B. Members will be cognizant of the inherent communication impediments to gathering information from LEP individuals in any situation that the person is within the control of the member.**
- C. Field Enforcement and Investigations** - Each member must assess each situation to determine the need and availability for communication assistance to any and all disabled or impaired individuals. It is imperative that members are able to effectively communicate the reason for any contact, the need for information and the meaning or consequences of any enforcement action taken with a disabled or impaired individual.
- D. Member Complaints** - All LEP persons who wish to file a complaint against a member may do so by either receiving interpretation assistance or the use of forms translated into their language (if already completed). The Agency will make every reasonable effort to communicate its response in an accessible manner.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Desk Booking Specialist Duties		Order No: 503
Rescinds: GO503 Revised: 05/06/15	CFA 5th: 16.03	Revised: 01/23/19
Reference: GO 201, 211, GO 502, 506, 507. OM A502, 602. Job Descriptions		
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503 Policy

- A.** The Agency established the Desk Booking Specialist (DBS), position to assist the sworn officers, primarily Uniform Services Division officers, with the primary duties of prisoner care assistance and non-emergency call handling.
- B.** Desk Booking Specialists are civilian positions classified as Desk Booking Specialist I and Desk Booking Specialist II. Both Desk Booking positions require Criminal Justice Standards and Training Commission certifications as Corrections Officers with active certificates. The Desk Booking Specialist II is trained and authorized to carry a firearm (Agency approved handgun). Desk Booking Specialist II is also authorized to carry an Agency approved Taser, chemical agent, expandable baton, handcuffs and flashlight while on uniform duty. Desk Booking Specialists II are authorized to carry an approved handgun and less-lethal weapons. **Chapter 776 FSS**
- C.** Desk Booking Specialists II are authorized to transport any arrested person.
- D. Arrested persons are not yet lawfully “incarcerated” so the authorized use of deadly force to prevent an escape from a “correction facility” does not apply.** According to 776.07 FSS, Desk Booking Specialists II “...are justified in the use of any force which he or she reasonably believes to be necessary to prevent the escape of the arrested person from custody.”

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Desk Booking Specialists will receive specialized training in use of force appropriate to their position.

- E. Desk Booking Specialists receive initial documented training in all applicable sections of the Field Training and Evaluation Program (FTEP) designed for sworn officers. After successful completion of the training program, they are assigned to a Uniform Services Division Patrol Squad Sergeant for direct supervision. Desk Booking Specialists receive on-going training through Agency in-service training, appropriate advanced training classes and required mandatory training classes to maintain their CJSTC corrections certification.

503.1 Authorization to Use Force - Refer to Use of Force General Order [<GO 201>](#)

503.2 General Requirements

A. Desk Booking Specialist I Primary Duties

1. Desk Booking Specialist I (DBS I) are civilian employees who are CJSTC certified Corrections Officer.
2. Desk Booking Specialists I are assigned to the Uniform Services Division.
3. Desk Booking Specialists I are responsible for prisoner processing and Detention Area related duties.
4. Desk Booking Specialists I are not authorized to carry firearms or Taser. Desk Booking Specialists I are not authorized to transport prisoners.
5. Desk Booking Specialists I are trained and authorized to use Agency issued non-lethal weapons to protect themselves and others from the unlawful use of force. Desk Booking Specialists I are required to adhere to Agency Policy on the carry and use of authorized weapons. Desk Booking Specialists I have the right to defend themselves if attacked with the appropriate level of force, as prescribed in Use of Force General Order [<GO 201>](#). Desk Booking Specialists I are trained in the use of hands free prisoner control techniques, impact weapons, restraint devices and chemical agents and are required to attend proficiency training.
6. Desk Booking Specialists I also handle non-emergency calls for service at the police department building only and preliminary case investigations as provided in this directive.

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7. The Desk Booking Specialists I will attend Agency in-service training for sworn officers, attend outside advanced training classes applicable to their duties (as determined by his/her Sergeant) and complete required CJSTC mandatory training in order to maintain an active corrections officer certificate.

B. Desk Booking Specialist II (DBS II) - Desk Booking Specialists II are responsible for all the requirements of the Desk Booking Specialists I but additional duties include:

1. Authorized and required to receive training in the use of the duty firearm, (handgun), and Advanced Taser and demonstrate the same proficiency required of sworn officers.
2. Authorized to carry the Agency approved handgun in the Department approved holster and utility belt while on duty ONLY. The Desk Booking Specialists II are not authorized to wear a firearm off-duty.
3. DBS II are authorized to carry the Advanced Taser while on uniform duty. DBS II are not authorized to wear the Advanced Taser off-duty, or any other issued/authorized less-lethal weapon except the flashlight.
4. DBS II are not authorized with arrest powers or authorized to proactively act in the capacity of a sworn officer to apprehend lawbreakers but may act under the direct supervision of a law enforcement officer as provided in Florida Statutes 776.05 and 901.18. [<776.05 FSS>](#) [<901.18 FSS>](#).

C. Vehicle Assigned - DBS II are assigned a vehicle while on duty and, when not involved with prisoner care/transport duties, will be available to respond to non-emergency calls for service as prescribed in this directive. DBS II may also assist with traffic control /direction duties.

- Prisoner Transport Vans are to be operated by DBS II or sworn officers in the "Routine" response mode as defined in Emergency Vehicle Operations GO 213. **They are equipped with emergency lights and siren but operation in the "Emergency" or "Urgent" response mode is prohibited.**

D. Agency Directives - Desk Booking Specialists I and Desk Booking Specialists II are responsible to adhere to all applicable Agency General Orders, operating procedures and other directives related to sworn personnel.

E. No Sworn Authority - The DBS will report or summon a sworn officer if enforcement action is necessary outside the DBS prescribed duties.

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- F. Training** - The DBS trainee will satisfactorily complete applicable sections of the Field Training and Evaluation Program before he/she is permitted to function in a solo capacity.
- G. DOR** - A Field Training and Evaluation Program Daily Observation Report will be completed on all DBS trainees for each day of training.

503.3 Duty Assignments

- A. Calls Authorized to Handle** - DBS are authorized to handle the following calls for service (refer to appropriate General Order or Operating Manual for procedures):
1. Found property. [<GO 701.19>](#)
 2. Crime scene processing for any crime (with officer on scene). [<OMB602>](#)
 3. Hit and run traffic crash with no injuries. [<GO 506>](#)
 4. Traffic Crashes with no injuries. [<GO 506>](#)
 5. Missing Person/Run Away Juvenile. [<OMA502.31>](#)
 6. Stolen/Recovered Tag. [<OMA502.10>](#)
 7. Stolen/Recovered Vehicle. [<OMA502.10>](#)
 8. Abandoned Vehicles. [<OMA502.1>](#)
 9. Suspicious Vehicles Unoccupied.
 10. Information/Citizen Assists (Call Backs/Lobby).
 11. Residential Burglaries with no suspects on scene. [<OMA502.13>](#)
 12. Vehicle Burglaries with no suspects on scene. [<OMA502.13>](#)
 13. Verbal Disturbances in the lobby only. [<OMA502.19>](#)
 14. Retail Theft - Gas Drive Off's only. [<OMA502.35>](#)
 15. Fraud/Identity Theft. [<OMA502.20>](#)

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16. Petit Theft. [<OMA502.35>](#)

17. Criminal Mischief with no suspects. [<OMA502.16>](#)

18. Theft with no suspects. [<OMA502.35>](#)

19. Trespassing not in progress. [<OMA502.36>](#)

20. Harassing Phone Calls. [<OMA502.33>](#)

21. Battery not in progress, (Lobby Calls only). [<OMA502.11>](#)

22. DBS II - Area checks for loud music, reckless driving with no contact with complainant.

23. DBS II - Area checks of parks and businesses after hours (no door checks just drive bys).

24. All reports will be done according to the Calls Handling and Preliminary Investigations Operating Manual [<OM A502.27>](#).

25. DBS II - Traffic control, accidents, road hazards and/or parade details.
[<GO 507>](#)

26. DBS II will receive documented training in digital photography, latent fingerprint processing and other crime scene procedures. DBS II will assist officers in crime scene processing. If the officer needs assistance with a crime scene, DBS II should have the appropriate equipment to process the scene.

503.4 Detention Area/Holding Facility

A. Prisoner Care Directive - DBS will follow applicable procedures on prisoner care as provided in [<Prisoner Care GO 211>](#).

B. Prisoners in Detention Facility - The Detention/Holding Facility have separate cells for Male, Female, and Juvenile prisoners. At no time are the Juvenile prisoners allowed regular contact with the adult prisoners. At no time will there be more than one prisoner out in the detention (holding facility) area. When a prisoner is out of a cell, there will be a minimum of two DBS or one officer and one DBS, in the holding facility at all times.

C. Juveniles - Care will be taken to ensure that juveniles are not in regular contact with adult prisoners at any time. When juvenile prisoners are brought

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into the holding facility, the member will close the blinds on the windows of the cells housing any adult prisoners. The blinds will remain closed until the juvenile is secured in their cell. Once the juvenile is secured, the blinds will be opened until the juvenile is to be removed from the cell. If an adult is brought into the detention facility when a juvenile is in a cell, the member will close the juvenile's blinds until the adult prisoner is secured. **At no time will the blinds be closed on an adult or juvenile's cells any longer than ten minutes.**

- D. Processing of prisoners in the presence of adults or juveniles** - When adults and juveniles are in the holding facility at the same time, great care will be taken to ensure that there will be no regular contact between them. When fingerprinting, photographing, or any other booking procedure is being conducted on a juvenile, the blinds will be closed on the adult holding cells until the juvenile has been secured into the cell.

When fingerprinting, photographing, or any other booking procedure is being conducted with an adult and a juvenile is present in the holding facility, the blinds on the juvenile's cells will be closed. The blinds will remain closed until the adult is secured back into a cell. **At no time will the blinds be closed on an adult or juvenile's cells any longer than ten minutes.** This procedure does not apply for suicidal or violent prisoners.

- E. Notify Supervisor/Commander** - The DBS will notify the on-duty supervisor or Commander immediately of the following:

1. Injured prisoners.
2. Prisoners needing or requesting medical attention.
3. Prisoners threatening suicide, or attempting acts that are suicidal.
4. Unruly prisoners or prisoners who are combative.
5. Prisoners who want to make a complaint on an officer, or complain of excessive force or other alleged misconduct by an officer.
6. Prisoner who had to be physically subdued, and /or DBS weapon utilized, TARP'd, or the prisoner assaulted the DBS.
7. Prisoner who intentionally damages the detention facility. The prisoner will be charged with Criminal Mischief and the estimated cost for repair added to the Cost Recovery Form.

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8. Detention facility malfunctioning equipment or other structural or mechanical problems.
9. Exposure control incidents and exposure control clean-up need.
10. Any other incident involving a prisoner or Detention Facility problem that would be reasonable to bring to the attention of an on-duty supervisor or commander.

503.5 Procedures

- A. Inspection** - At the beginning of each shift the on duty Desk Booking Specialists will inspect all cells, man trap area, and detention area for any contraband, damage, or items not belonging in the area. DBS will then complete the Detention Facility Checklist stating the Date/Time/Day/DBS on duty/ and if anything is found. If any contraband is found, a report will be written and logged on the Detention Facility Checklist. If any damage is found, that will also be logged onto the Detention Facility Checklist and a work request filed out if applicable. In addition, check to ensure a first aid kit, fire extinguisher, ankle/belly chains and protective headgear are present in the detention area. At the end of the shift, the checklist will be signed by the watch commander or their designee.
- B. Daily Operational Needs** - The DBS will make sure that the holding facility is clean and in working condition at each shift change. The sink area, counter tops, phones and computer, etc. will be cleaned daily and check to verify that everything is operational. Supplies will be replenished as needed. Any problems noted will be logged in the logbook and reported to the proper department.

503.6 Booking Prisoners

- A. Custody and Control Guidelines** - DBS will only take prisoners from the custody of a law enforcement officer with the following conditions:
 1. The subject is under arrest for a crime and the 923.01 is completed or the sworn officer accompanies the DBS.
 2. The subject has been completely searched by the officer, as permitted by law.
 3. The subject is restrained (cuffed).

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4. The subject is not combative, and/or has not displayed any indications of likely becoming combative.
- B. Intake** - All prisoners that come into the detention facility will be logged into the booking computer. If the information is not immediately entered into the computer, a copy of the 923.01 will be placed in the red basket located above the booking computer in the detention area. The DBS will be responsible to transfer the information to the booking computer. After the information on the 923.01 is entered, the 923.01 should be destroyed. Each prisoner will be fingerprinted (with another officer or DBS present) and photographed if they are a juvenile or an adult being ROR'd from the station. Juvenile booking information, fingerprints and photos are considered confidential as specified in Prisoner Care [<GO 211>](#). If the prisoner cannot be printed or photographed a reason should be noted in the computer (i.e., too intoxicated, uncooperative, no other officer available, etc).
- C. Prisoner Calls** - Prisoners are discouraged from making phone calls from the holding facility. Their phone call will be made from the county jail. If the arresting officer wants to allow a phone call, the arresting officer must stay in the holding facility until the prisoner has completed the call.
- D. Prisoner Property** - The DBS will complete an Inmate Personal Property Receipt, (BCSO Form), and list all property that each prisoner has. If there is any money, the money will be counted and put in a Brevard County Prisoner Cash Envelope. The envelope will be completed with all pertinent information. All property will be sealed in the clear plastic bags provided by BCSO. Any item too big to go into a plastic bag will go into a plastic bag, (provided by our agency). The prisoner must sign the Property Receipt and the Cash Envelope. If the prisoner refuses to sign, the DBS will write "Refused" on each of the forms. All property will then go into a locked locker until the prisoner is transported. A second officer will verify the cash count and initial the cash envelope. **NO** lighters or weapons (ie. pocket knives) will be packaged and sent with the prisoner to Sharpes. Purses, bags, backpacks, etc. should not be sent with the prisoner to Sharpes; rather, they should be properly packaged and entered into Property and Evidence for safekeeping.
- E. Supervision of Prisoners** - Under normal circumstances all prisoners will be under constant supervision and control. This will ensure immediate intervention for prisoners in the event of an emergency. If it is necessary for the monitoring member to leave the holding area, this lapse in constant supervision will not exceed ten minutes. **Prisoners displaying suicidal tendencies will not be left unsupervised at any time.**

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F. Lobby Calls Prohibited - The DBS will not handle any lobby calls for service while there is a prisoner in the holding facility. The DBS may take calls for service that require a call back via the telephone.

G. Violent or Un-Cooperative Prisoners - At no time should a DBS open the cell door and try to calm a prisoner down. The DBS may try and calm the prisoner down verbally with the cell door closed. If this is not successful, the DBS will then call for a sworn officer to come in and help calm the prisoner. If the prisoner displays violent behavior, the on-duty supervisor or commander will be contacted immediately.

H. Prisoners Requiring Medical Treatment - See [<GO 211>](#)

I. Suicidal Prisoners - If at any time a prisoner states that they want to harm themselves, and the DBS believes that the prisoner may try, the DBS will notify the arresting officer and on-duty supervisor immediately. If the prisoner tries to harm themselves in the cell, the DBS will notify the on-duty supervisor or commander and the arresting officer. At no time should the prisoner be left unsupervised. The DBS or an officer will be watching the prisoner at all times until the prisoner is no longer in the care and custody of the Agency.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Community Policing		Order No: 504
Rescinds: GO 504 Revised: 12/13/16	CFA 5th:	Revised: 05/30/18
Reference: Mission Statement GO 101		
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504 Policy

Community Policing provides police services based on the Mission Statement of this Department **<GO 101>**. Community Policing is dedicated to community safety and quality of life for our citizens through the philosophy of community policing. Community Policing is a specialty function staffed by officers designated as Community Resource Officers (CRO's), who are trained in the philosophy of community policing and the concept of problem oriented policing, and have the responsibility to provide this service to the citizens of Palm Bay and other related special functions as deemed necessary by the Chief of Police.

504.1 Community Policing Philosophy - Community policing is a philosophy and organizational strategy that promotes partnerships with citizens, community groups, civic organizations, business, educational, and religious groups to work together to identify and develop strategies and programs to resolve community crime and social problems. Community policing rests on the belief that only by working together will the community and the police are able to improve the quality of life in our City. This philosophy demands that all members of the Agency embrace this philosophy and work towards the goals and missions of the Agency.

504.2 Responsibilities

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Subject: Neighborhood Policing	General Order: 504

- A. Coordinated Response** - CRO's are responsible for coordinating the Agency's response to neighborhood problems of a criminal and non-criminal nature that are pervasive and have not been successfully solved by traditional call response and investigative methods.
- B. Problem Solving Strategies** - CRO's are responsible for identifying long term and on going problems in a geographic area or neighborhood by using problem solving strategies involving research and surveys, crime analysis and criminal intelligence information, officer input, community meetings, and other resources.
- C. Problem Solving Process** - These responsibilities are met by responding to these neighborhood or individual problems using a problem solving process:
1. Identify the problem.
 2. Analyzing data and information collected to develop an action plan.
 3. Evaluate strategies and identifying resources and partnerships within and outside the Agency to implement the plan.
 4. Recruiting support from the primary officers and supervisors and coordinating the implementation of the action plan.
 5. Monitoring and participating in the action plan.
 6. Assessing results of the plan for closure or modification.
 7. Reporting results of action plans and projects to the field operations commanders and Agency staff.
- D. Strategies** - CRO's are responsible for increased citizen, police, public, and private agency involvement in strategies to improve the quality of life and enhance public safety. Objectives are as follows:
1. Facilitate improved coordination and allocation of responsibilities among social, criminal justice, and other service agencies by acting as a conduit to prevent and solve community problems.
 2. Initiate and coordinate meetings between agencies that are responsible for solving problems in neighborhoods.
 3. Follow-up on activities to ensure that responsibilities are acted upon and measures taken by appropriate agencies to solve community problems.

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4. Increase the Agency's effectiveness through problem-solving activities and efficient utilization of resources.

504.3 Assignments

CRO's shall be geographically assigned to districts and zones, under the USD Commander, within the City on a permanent basis to focus their activities and projects on the specific and unique needs of that area or zone. CRO's are under the supervision of the USD Commander or designee.

504.4 Community Resource Officer (CRO) Duties

- A. Receive reports of ongoing problems referred by case report submitted by officers in other divisions and evaluate reports for problem solving processes and projects.
- B. Create action plans using recognized problems solving processes.
- C. Utilizing recognized problem-solving strategies and methods and partnerships, coordinate the implementation of the action plans.
- D. Analyze and review results of action plans.
- E. Recommend and coordinate changes and different strategies.
- F. Report results of action plans.
- G. Respond to specific crime or social issues as directed by the USD Commander or designee, and or chain of command, using their specialized skills, resources and partnerships to solve immediate short term or individual problems.
- H. Participate in established citizen or neighborhood groups and associations.
- I. Foster and help develop associations and/or crime watch groups where none exist.
- J. Actively develop partnerships with the business, commercial, academic and private elements of the community.
- K. Create and support crime prevention and community based programs and events.
- L. Liaison and work with other City departments and outside public agencies to respond to and help solve common problems.

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- M.** Support the Districts in special events and other programs promulgated within the Uniform Services Division, or by other units.
- N.** Conduct surveys of areas or neighborhoods to identify community concerns, crime, and social problems.
- O.** Interact with patrol, investigative, and specialty unit officers to identify problems, obtain intelligence information, and research problems.

504.5 Community Resource Unit (CRU) Commander, or Designee, Duties

- A.** Review reports of ongoing problems referred by case report submitted by officers in other divisions, evaluate them for problem solving processes and projects, and assign them as cases to the CRO.
- B.** Manage the cases in a case management system with unique tracking numbers for each project or action plan.
- C.** Monitor and track the plans and cases to insure completion and results.
- D.** Participate in established citizen or neighborhood groups or associations with CRO's.
- E.** Foster and help develop associations and/or crime watch groups where none exist.
- F.** Actively develop partnerships with the business, commercial, academic and private elements of the community.
- G.** Create and support crime prevention and community based programs and events.
- H.** Liaison and work with other City departments and outside public agencies to respond to and help solve common problems.
- I.** Provide resources within the Uniform Services Division in special events, and other programs promulgated within the division or by other units.
- J.** Supervise surveys of areas or neighborhoods to identify community concerns, crime, and social problems.
- K.** Interact with patrol, investigative, and specialty unit officers to identify problems, obtain intelligence information, and research problems.

504.6 Monthly Report

Palm Bay Police Department	
Subject: Neighborhood Policing	General Order: 504

A. Each month CRO's will submit a report to the USD Commander. The report will include:

1. Case management report, including number of active cases, new cases received, old cases closed.
2. Summary of new cases.
3. Major activities of the unit.
4. Arrest statistics.
5. Summary of community meetings and groups attended.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Traffic Enforcement (Stops)		Order No: 505
Rescinds: GO505 Revised: 04/14/18	CFA 5th: 14.07, 18.02, 18.03, 2.02	Revised: 8/01/19
Reference: GO 210, 211, 214, 305, 506, 508, 519. High Risk Vehicle Stops Departmental Lesson Plan, Felony Handcuffing Techniques.		
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505 Policy

Traffic safety is an important responsibility of the Agency. In order to fulfill this obligation and to minimize traffic injuries, all of the traffic laws of this state will be enforced. When any infraction is observed, whether a moving or non-moving violation, an investigatory stop will be made unless safety concerns, patrol, investigative, or crime prevention responsibilities prevent such action.

505.1 Definitions

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- A. Unknown Risk Traffic Stop** - An unknown risk traffic stop is generally one based on an observed violation where the driver of the vehicle does not attempt to flee. (Also referred to as a Routine Traffic Stop)
- B. High Risk Traffic Stop** - A high-risk traffic stop is based on information that vehicle or occupant(s) have been involved in an armed or violent crime or the driver attempts to flee. An unknown risk vehicle stop can become a high-risk vehicle stop based on the behavior and/or actions of the occupant(s).
- C. Verbal Warning** - A verbal warning is issued when an officer observes a violation but does not issue a written citation. The warning is issued after the officer considers criteria listed in Section 505.2. The officer will explain the action or equipment failure that he observed so that the violator may correct the problem. The officer will not lecture the violator. The officer will refrain from language such as "I am giving you a break".
- D. Hazardous Violations** - Hazardous violations are moving violations which expose a person or property to risk, loss or damage (disobeyed traffic control device, careless driving and reckless driving).
- E. Non-Hazardous Violations** - Non-Hazardous Violations are those that are not likely to involve or expose persons or property to risk, loss or damage (expired tag, equipment violation, etc.).

505.2 Considerations - The primary consideration in traffic enforcement should be the extent of disregard for the safety of the public displayed by the defendant and whether the violation was **Hazardous or Non Hazardous**. The following considerations may also be used by officers in determining the appropriate level of traffic enforcement taken.

- A.** The fact that the violator does not reside in the service area and may not be familiar with local traffic controls or the area itself.
- B.** Prior contacts with the defendant and warnings.
- C.** The officer's obligation to the community and the public's expectation for the officer to take action.
- D.** Whether the traffic violation caused a traffic crash.
- E.** Juvenile or inexperienced driver.
- F.** Very elderly or physically impaired driver.
- G.** Military person.

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H. Foreign diplomat or consular official.

I. Government official or other public service employee.

505.3 General Procedures - The officer will determine the appropriate response to the traffic violation based on the above considerations. The following procedures will be followed in the process of conducting a traffic stop and issuing a citation:

A. Conducting the stop - The following steps shall be followed when calling in the occupants of a vehicle on a traffic stop in order to be compliant with bias-based policing standards:

1. When officers make a traffic stop, they will pause so that the radio operator can prepare to copy the information. The radio operator will give the officer making the traffic stop the tag information back they call in every traffic stop.

TRAFFIC STOP:

OFFICER: "129 10-50"

DISPATCH: "129"

OFFICER: "SR-5 & 516 N. Bound, Florida Tag ABC123, Silver Lexus."

DISPATCH: "10-4 129, comes back to a 2016 Silver Lexus to a female out of Palm Bay, 10-54, 10-29."

2. When an officer runs the occupants of the vehicle for license status and wants and warrants, the driver **MUST** be run on teletype. The other occupants of the vehicle may be run on the MDB or also thru teletype. The teletype operator will ensure the driver, at minimum, will be entered into the call for service.
3. Regardless if a citation is written or verbal warning given, the driver must always be run thru teletype.
4. When the traffic stop is completed, it must be closed out on the radio indicating the sex and race of the driver and whether a citation or a verbal warning was issued to that person. Officers **WILL NOT** clear the traffic stop on their MDB.
5. It is the responsibility of the radio operator to ensure the driver's information is properly put into the CFS including their name, race, date of birth and whether or not a citation or verbal warning was issued.

B. Uniform Traffic Citations will be completed in accordance with DHSMV Uniform Traffic Citation Procedures Manual [<DHSMV UTC Manual>](#)

C. Inform Defendant - When officer charges a motorist with a traffic violation; the officer will notify the defendant of the specifics surrounding the issuance of the

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citation for the violation. The information will include but is not limited to the following:

1. Date, time and location of the violation.
2. Date, time and location of court appearance, if applicable.
3. Amount of the civil penalty, (fine), if applicable.
4. Options to address citations including, fine, Driver Improvement Course, or hearing to contest the citation. Inform the driver of time constraints to elect these options.
5. Any other information pertinent to the issuance of the citation.

D. Explain Citation - The officer will make every reasonable effort to ensure that the defendant understands the citation. Officers will not lecture, “preach”, threaten, “talk down to”, or argue with citizens.

1. The officer will ensure that the form from DHSMV regarding the explanation of the options is given to the driver whenever a citation is issued.
2. The officer will not make any comments while issuing the citation regarding overtime that will be accrued for court appearances, amending the citation if they elect a court appearance, etc.

E. Verbal Warning - When issuing a verbal warning, the officer will explain the violation as in any other traffic stop. The officer will advise the defendant that he/she is issuing a “verbal warning”. **The officer will refrain from language such as “I am giving you a break”, or lecturing the defendant.** The officer may, at his/her discretion issue a citation on one or more violations and inform the defendant that he/she is receiving “verbal warnings” on other traffic infractions observed.

505.4 Citations Issued During Traffic Crashes - See Traffic Crash Investigations. [<GO 506>](#)

505.5 Parking Citations - City parking citations may be issued to address violations of City ordinances regulating parking. City parking citations may be issued by any member who has been trained and authorized to do so. Florida Uniform Traffic Citations may be issued by sworn officers to address violations of state laws regulating parking. Non-sworn members will limit issuance of parking citations to the following situations.

A. Parking on Right-of-Way - Vehicles for sale parked on the road, right-of-way, or on unimproved property.

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B. Parking Prohibited - Vehicles parked in areas where official signs prohibit parking. If the vehicle is occupied, the officer may choose to give a verbal warning and have the vehicle moved.

C. Handicap Parking - The Agency has a Zero Tolerance Policy for drivers illegally parked in designated handicap parking spaces. Parking citations will be submitted to the issuer's supervisor before the end of shift. The supervisor will review and submit the citations in the same manner as all other paper reports and citations.

505.6 Juvenile Defendants - By statute, a juvenile is defined as anyone under the age of 18 years.

A. General - Upon apprehension of a juvenile defendant, if issued a citation he/she will essentially be treated as an adult. However, the juvenile will not be taken to the county jail. If physical custody is required, then the juvenile will be detained under guidelines governing the detention of juveniles. [<GO 508>](#)

B. Written Report - If temporary detention occurs, the detaining officer will write a report concerning the circumstances surrounding the event and notify the child's parents or guardian. If the defendant is to be released it must be to a parent, guardian or other responsible adult.

C. Warrant - When an officer establishes that a juvenile has outstanding traffic warrants for his arrest, the officer will check to confirm that the warrant is valid and active.

D. Custody and Transport - If the warrant is active the juvenile will be transported to the police department and the Department of Juvenile Justice notified. The child will be handled according to existing guidelines governing juveniles. [<GO 508>](#)

E. COC - If a juvenile is arrested for DUI and neither DJJ or a parent or guardian will take custody, pursuant to [322.2616 FSS](#), the juvenile with a BAC of .02 or higher may be taken to the addictions receiving facility (COC).

F. Contact Parent - If a juvenile is issued a traffic citation, officers will contact the juvenile's parent or guardian in person, by phone, or via the Parental Notification Form to inform them of the citation and circumstances.

505.7 Legislators, (No Immunity) - As a rule, legislators are subject to the same laws and required to comply with the traffic statutes as other citizens.

505.8 Diplomats and Consular Officials, (Not to include family members)

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- A. Violation and Stop** - When a consular officer is stopped for a moving traffic violation, the officer on the scene, upon being advised by the driver that he is a consular officer and determining that he/she possesses the proper credentials, should exercise discretion based on the nature of the violation and either let him/her go with a warning or proceed with issuance of appropriate citation.
- B. Citation** - Mere issuance of a traffic citation does not constitute arrest or detention in the sense referred to above.
- C. DUI** - When a consular officer is stopped for driving under the influence the primary consideration should be to see that the consular officer is not a danger to himself or the public. Based upon a determination of the circumstances, the following alternatives are available.
1. Take him/her to the station or a location where he/she can recover sufficiently to enable him/her to drive safely. The consular officer will be informed that he/she must refrain from driving for at least eight hours.
 2. Take him/her to a telephone so that he can call a relative or a friend to come for him/her.
 3. Call a relative or friend for him/her.
 4. Transport to their home.
 5. Issue a citation for a traffic offense other than driving while under the influence, do not arrest.
 6. The consular officer should not be handcuffed, subjected to any sobriety test, or physically handled in any way.
 7. At best, this is a sensitive situation. The consular officer should be treated with respect and courtesy. It should be impressed upon him/her that the officer's primary responsibility is to care for his/her safety and the safety of others.
 8. If the consular official is involved in a traffic accident, which results in injury or a fatality and is in violation of the law, the officer will contact his/her supervisor immediately. If the charges are related to vehicular manslaughter, the supervisor will ensure that the procedures outlined in Arrests, Stops, Frisks General Order [<GO 210>](#) are followed in relation to consular officials. In all other cases, the officer will complete the necessary police report and issue the official the appropriate citation.

D. Reporting Incidents

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1. In the event that a consular officer or members of his family or personal staff should become involved in any actions taken by members of this agency, it is required that the on-duty or on-call commander will be immediately furnished with all pertinent information.
2. The on-duty patrol supervisor will be notified when any officers stops a City official, legislator, a consular officer or family member of a consular officer. The supervisor will be on-scene if enforcement action is to be taken. The supervisor will notify the on-duty or on-call commander.

505.9 Military Personnel

- A. Active Military** - The general rule is that active duty military personnel driving clearly marked military vehicles are not exempt from traffic law enforcement.
- B. Physical Arrest** - If enforcement action, resulting in physical arrest is made; the arresting officer will notify his/her supervisor. The supervisor will notify the liaison officer of the nearest Armed Forces Investigative Headquarters Division. This does not apply to the issuance of a citation.

505.10 Physicians - In the event an officer observes a traffic violation committed by a physician enroute to an alleged emergency, the following procedures will apply:

- A. ID and Destination** - Upon determining the driver is a physician and the alleged medical emergency, the officer will obtain the identity and intended destination of the physician.
- B. Warn and Release** - In the event the emergency is extreme or urgent, the physician will not be detained but warned to obey traffic rules.
- C. Appropriate Action** - In the event the traffic violation committed was of a serious and dangerous nature, the officer will verify the nature of the emergency and the physician's identify and, if appropriate, even though delayed, take appropriate enforcement action. At the officer's discretion, he/she may release the physician and take enforcement action later.
- D. Minor Violation** - If, in the officer's judgment, the violation was of a minor, non-hazardous nature, a verbal warning may suffice.

505.11 Bicycles

- A. Problem Areas** - In those areas where congestion and the frequency of traffic crashes involving bicycles have been predominant, those laws pertaining to the proper operation of bicycles will be strictly enforced.

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B. Enforce Laws - On those arteries with a substantial flow of vehicular traffic, and where hazardous moving violations are observed involving persons operating bicycles, the applicable laws will be strictly enforced.

C. Discretion - In those areas where traffic flow is minimal, visibility is unobstructed, and traffic accident experience low, officers should exercise discretion in the application of those laws regarding the safe operation of bicycles.

D. Age of Offender - Officers may take into consideration the age of the offender. Older offenders should be aware of the hazards inherent in the unsafe operation of bicycles. Youthful offenders may not be fully aware of their responsibility in the safe operation of bicycles.

505.12 Pedestrians - Officers will concentrate their efforts on pedestrian violations in those areas where pedestrian accidents have been frequent or severe. Officers are reminded that education of the defendant may be a useful enforcement tool.

505.13 Off-Road Vehicles (Special Considerations) - The operation of off-road vehicles on city streets, or on private property without permission is in violation of City Ordinance. As many of these violations involve juvenile offenders, the officer must be aware of special circumstances and considerations (e.g. number of complaints from citizens on off road activity in area), and take appropriate enforcement action.

505.14 Other Standardized Enforcement Guidelines

A. Speed Violations

1. Certified Officers - Radar/laser speed enforcement operators must be certified by CJSTC. Officers who are not certified may support certified operators. Support officers may issue the citation to the defendant and list the officer who operated the radar or laser device.

2. Pace Detection - Officers who develop probable cause from use of speedometers to pace and cite speed defendants will adhere to the following requirements:

a. Pace the defendant an adequate distance.

b. Ensure that the speedometer in their police vehicle is calibrated every 6 months.

c. A copy of the calibration certificate will be maintained in the vehicle.

d. The certificate must be available for Traffic Court.

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- e. Officers who operate radar from their police vehicles will have their speedometers calibrated every **12** months.

B. Other Moving Violations - Moving violations in general will be handled as outlined in the Considerations section 505.2 of this directive.

C. Equipment Violations

1. Equipment violations such as faulty headlights, tail lights, etc. should be enforced. Such violations can cause or contribute to accidents and therefore are an important traffic enforcement responsibility for officers of the Agency [316.610 FSS](#). Upon receiving a faulty equipment citation, defendants may pay the full amount of the citation or go to City Hall and pay a processing fee. Once this is paid, a law enforcement official must ensure that the fee was paid (receipt) and the faulty equipment was repaired. If so, the law enforcement official will sign the back of the citation, (defendant's copy), so that the defendant may pay the reduced fine.
2. **Safety Belts and Child Restraint Devices** - It is the intent of the Legislature that all state, county, and local law enforcement agencies, in recognition of the fatalities and injuries attributed to unrestrained occupancy of motor vehicles, and in recognition of the problems with child death and injury, will conduct a continuing safety and public awareness campaign as to the magnitude of the problem and adopt programs designed to encourage compliance with the safety belt usage requirements of this section.
 - a. It is the policy of the Palm Bay Police Department to comply with this legislative intent by actively and assertively enforcing the provisions of Chapter 316.613 and 316.614
 - b. Any person who violates the provisions of this section commits a nonmoving violation. However, except for violations of FSS [316.613](#) enforcement of this must be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of another section of chapter 316, chapter 320, or chapter 322 Florida Statutes.
 - c. Officers are expected to actively enforce these statutes as a secondary action in connection with other violations of chapter 316 FSS.
 - d. It is the policy of the Palm Bay Police Department to prohibit the practice of racial profiling. When a law enforcement officer issues a citation for a violation of this section, the law enforcement officer must record the race and ethnicity of the violator on the citation.

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D. Public Carrier or Commercial Violations

1. Operators of public carriers and commercial vehicles will be handled in the same manner as other vehicle operators. The officer will consider the safety of passengers or cargo when determining the appropriate enforcement action to take. The officer will contact the public agency or commercial enterprise for instructions concerning the disposition of the vehicle and property when affecting the arrest of the operator of such vehicles.
2. School bus operators must comply with applicable Florida law.
 - a. If the driver of a school bus is stopped for a violation, the officer will notify the driver's supervisor, whether or not a citation is issued.
 - b. Notification of the driver's supervisor may be accomplished through the Communications Center. The Communications Center will be given the bus number, location, and violation observed.
 - c. Officers will be cognizant of children passengers and keep the stop as brief as possible to avoid route schedule delays.

E. Other Non-Moving Violations - Non-moving violations in general will be handled as outlined in the Considerations section 505.2 of this directive.

F. Multiple Violations - The officer will weigh the seriousness and safety effects of the violations when determining the need to issue multiple citations. Traffic arrests often require the officer to issue multiple citations.

1. Multiple violations in general will be handled as outlined in the Considerations section 505.2 of this directive.
2. Officers should also consider issuing citations for charges whose elements encompass multiple lesser violations (running stop sign and speeding can be cited as careless driving).

G. Newly Enacted Laws and/or Regulations - Officers will be notified of newly enacted laws or ordinances through periodic bulletins provided the Department's Legal Advisor or the State Attorney's Office. The Chief of Police may provide a grace period to violators of newly enacted traffic laws at his/her discretion. Verbal warnings may be used to educate the public of the new law. Otherwise, these will be enforced when they become law.

H. Enforcement in Gated Communities - Municipal police officers may not enforce traffic laws on roads within a gated community **unless** the home

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owners association has entered into a written agreement with the city pursuant to [FSS 316.006\(2\)\(b\)](#).

505.15 Driving While License Suspended, Revoked or Canceled.

- A. **DHSMV Check** - Officers should run a DHSMV driver license computer check on every defendant stopped.
- B. **Suspended or Revoked** - Officers will issue a citation and release the defendant with a suspended license citation at the scene if the defendant apparently had **no knowledge** of the suspension/revocation. The driver will not be allowed to drive from the scene as provided in section 505.15(F). In cases of suspended license with knowledge, except for the disqualifiers in [Florida Rules of Criminal Procedures 3.125](#), it is the officer's discretion as to a custodial arrest or ROR. This decision should be based on FTA History, number of suspensions, etc. When officers issue a criminal citation, the officer will write in the comments section:
 1. The reason for the original stop, i.e. speeding 45/30, expired tag, etc.
 2. Probable cause for knowledge, i.e. utterances or admissions of knowledge by the driver.
 3. The Case Report Number.
 4. If a custodial arrest, whether turned over to BCSO or not a 923 must be completed and report submitted.
 5. If not a custodial arrest, no in-field report with narrative will be required. A DR# will be generated, and a report will be assigned, but the officer need only complete the cover page, using the codes "Criminal Citation" and "Cleared by Arrest". Also, when closing the call in MDB, make sure that you include enough information to assist with courtroom testimony to establish your probable cause.
- C. **Habitual Traffic Offender** - Persons caught driving a motor vehicle with a Florida DL suspended or revoked as a Habitual Traffic Offender will be arrested and incarcerated in the Brevard County Sheriff's Office Detention Facility since a felony was committed.
- D. **Unlawful Use of DL** - For the charge of unlawful use of license, including possession of a suspended or revoked license, the appropriate statute will be cited, including the appropriate subsection that clarifies how the license was unlawfully used.

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- E. Seizure of DL** - The suspended /revoked/ canceled license will be seized from the defendant and forwarded to the Records section. For noncriminal violations, records personnel will follow DHSMV directives. For criminal citations, the license will be forwarded to the Clerk of Courts.
- F. Defendant Prohibited from Driving** - In all traffic stops and situations where the person is known by the officer to have a suspended/revoked/canceled DL, the officer will not allow the defendant to drive. If the vehicle is to be driven by another passenger/person authorized by the defendant, and the officer is present, a DHSMV check of the authorized driver's DL will be conducted.

505.16 Release or Physical Arrest of Defendants

- A. Refusal to Sign Citation** - Defendants are required by Florida law to sign a criminal citation or any violation requiring a mandatory hearing listed in FSS [318.19](#). The officer will explain to the defendant the violation(s) and that signing the citation is not "an admission of guilt", but a promise to comply with the law as outlined on the back of the citation. The officer will explain to the defendant that refusal to sign the citation is a criminal offense at least two times to avoid a physical arrest [318.14 FSS](#). If the defendant continues with a refusal to sign a **criminal infraction or any violation requiring a mandatory hearing** then they will be charged with a refusal to sign citation.
- B. Criminal Arrest for Refusal** - If the defendant is charged with a refusal to sign a citation; the officer has the following two options:
1. Arrest the defendant, print "refused" in the signature block, issue another citation for violation of FSS 318.14(2), print "refused" then remand the defendant to BCSO.
 2. Release the defendant and submit the citation as a "summons". This is the same as filing the charge in lieu of making a physical custody arrest.
 - a. Complete the original citation by writing "summons" where the defendant would normally sign.
 - b. Write a citation for refusal to sign and insert "summons" where the defendant would normally sign.
 - c. Submit the citations for processing.
 3. The defendant will receive a notice to appear in court.

C. Other Physical Arrest Criteria

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1. The defendant fails or refuses to sufficiently identify him or herself or supply required information for completion of the traffic citation as required by law.
2. The officer has reason to believe the continued liberty of the defendant constitutes an unreasonable risk of bodily injury to the defendant or others such as a DUI.
3. The defendant has no ties with the jurisdiction reasonably sufficient to ensure his/her appearance in court, or there is substantial risk that the defendant will refuse to respond to the citation.
4. The officer has reason to believe that the defendant is a fugitive from another jurisdiction.
5. The officer has reason to believe that the defendant has previously failed to respond to a citation or a summons, or has violated the conditions of any pre-trial release program.
6. The defendant has knowledge that his/her license is suspended.

D. Release at Scene - All other defendants not arrested for a misdemeanor traffic offense, including juveniles, will be released at the scene of the stop upon signing the citation with a mandatory court date assigned.

505.17 Processing Completed Traffic Citations

A. Submission - The appropriate copy of the citation (yellow) will be given to the defendant. All other copies will be forwarded to the officer's respective supervisor for review. The supervisor will submit the citations to the Records Unit.

B. Void Citation - In order to void a citation the following must be completed by the issuing officer. [<GO 305.9>](#)

1. If all copies of the citation can be retrieved, attach the citation to a memo to the immediate supervisor explaining the reason the citation was voided. If all copies cannot be retrieved, a letter on Department letterhead, must be drafted, signed and approved by the officer's supervisor. The letter will be addressed to the Brevard County Clerk of Courts. It will outline why the citation needs to be voided, and request that the citation and charges be "dismissed".
2. A copy of any request for dismissal must also be forwarded to the Records Unit.

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- a. If the offender cannot be contacted in person, a copy of the letter will be sent certified mail to the offender.
- b. Copies of the memorandum and citations will be provided to the Records Unit for auditing purposes.

505.18 DUI Enforcement – Refer to GO519

505.19 Unknown Risk Traffic Stops (Low Risk)

A. Prepare to Stop

1. The officer will establish the need for the contact of a vehicle whether occupied or unoccupied.
2. If the contact is to be made in moving traffic, the officer will safely maneuver into position behind the vehicle to be contacted, observing all traffic laws without posing a hazard to other motorists in the vicinity.
3. Use of the emergency lighting equipment should be avoided until the defendant's license plate can be read to reduce the potential of a fleeing and eluding situation, which could result from activating the lights too soon.
4. The officer should take the following actions to prepare for the stop.
 - a. Roll the windows down. This allows quick access to the console radio if your portable radio fails to operate properly. It also prevents from accidentally being locked out of the vehicle.
 - b. Preplan the location to stop the vehicle. Consider traffic, roadside, and lighting conditions when making the decision on where to stop the vehicle.

B. Advise the Communications Center - Once in position directly behind the vehicle to be contacted; the officer should radio the Communications Center of his/her intent to conduct a vehicle stop. The following information will be provided.

1. Location of the stop.
2. Direction of travel and number of occupants.
3. License tag number, including the state of issue.
4. Vehicle description (make, model, color, and any special identifiers such as damage or bumper stickers.)

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C. Initiating the Stop - After the Communications Center has acknowledged the radio transmission, initiate the stop. This should be accomplished in the following manner.

1. Stay approximately 4-5 car lengths behind the vehicle.
2. Activate the overhead emergency lights to their full capacity with the exception of the side alley lights. Under normal circumstances, the siren/horn will not be used at this point.
3. Wait a reasonable amount of time for the motorist to realize what is expected of him/her and find a safe location to pull over. If the driver fails to pull over in a reasonable amount of time, the siren or horn should be used to gain their attention.
4. Allow the suspect vehicle to leave the road. If necessary, the officer should use the public address system to instruct the driver to move to a safer location.
5. Once the suspect vehicle has stopped make sure the seat belt is off and fully retracted to avoid being hung up upon exiting the police vehicle.

D. Patrol Vehicle Positioning

1. Stop the police vehicle approximately 2 to 3 car lengths behind the suspect vehicle, slightly offset to the left. This is to provide an alley of safety for the stopped driver if it becomes necessary for him/her to exit the vehicle. The police vehicle wheels should be turned completely to the left.
2. If at night, aim the spotlight at the rear view mirror and the side view mirror.
3. If the stop is taking place at night the rotating lights may be deactivated and the emergency flashers activated with hazard warning lights in their place if it is deemed safe to do so.
4. The police vehicle public address system may be used to direct the driver if the officer deems appropriate.

E. Preparing to Approach

1. Before exiting the police vehicle, the officer will gather the equipment that will be needed for the initial contact and verify that oncoming traffic does not present an undue hazard.

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2. Upon exiting the police vehicle, leave the car door partially open. **Do not slam the door.**
 3. Once outside the police vehicle, the officer should pause for a few seconds to observe the stopped vehicle and the surrounding area for any hazards, which may not have been visible prior to this time. If the officer perceives a hazard(s), he/she should instruct the occupant(s) of the vehicle to remain inside with their hands kept in view. The officer should then take one of the following actions.
 - a. Notify the Communications Center of the need for an additional unit then wait for its arrival before making contact.
 - b. Change the planned approach technique to that of a High Risk traffic stop. This will also entail notifying the Communications Center and waiting for additional units to arrive.
- F. Vehicle Approaches** - There are three basic approach techniques to choose from when conducting an unknown risk traffic stop:
1. **No Approach**- This technique is used with vans, crowded cars, motorcycles and vehicles with obstructed view of the interior.
 - a. Ensure that the subject driver can safely exit his/her vehicle.
 - b. Have the driver step around to the passenger side of the police vehicle, bringing the required documents.
 - c. Assume a position at the right rear bumper of the police vehicle, or at the right side of the police vehicle behind or next to the light bar.
 - d. When the officer assumes a position at the right rear bumper, the subject should be positioned at the right rear wheel. If the officer is positioned at the right side of the police vehicle, the subject should be positioned in front of the officer alongside the right side of the police vehicle. Under no circumstances should officers position themselves between the two vehicles.
 - e. When the driver returns to his vehicle watch him/her until he/she has entered his/her vehicle and has left the scene.
 2. **Passenger Side Approach** - This is the standard, preferred technique of approaching a vehicle.

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- a. After exiting, walk to the rear of the police vehicle, keeping a view on the subject. Walk across the rear of the police vehicle to the right rear corner.
 - b. Proceed at a 45-degree angle from the rear of the police vehicle toward the subject vehicle, walking out to the right side approximately 20 to 30 feet or until the rear window post is between the approaching officer and the driver's head.
 - c. Approach the subject vehicle keeping near the rear window post. When the subject vehicle is reached, assume a position at the rear of the front passenger door. During contact with the occupant(s), keep head and body behind the door post to avoid being struck by a suddenly opened door.
 - d. If it becomes necessary to reach inside the subject vehicle use your weak hand. Do not place gun hand inside the vehicle.
 - e. When returning to your patrol vehicle, the officer does not turn his/her back toward the subject vehicle. Follow the same route used to approach the suspect vehicle. Never cross between the two vehicles.
 - f. If the officer elects to issue a citation either approach the vehicle again, following the same procedure, or call the driver back to the patrol vehicle, as in a no approach technique.
- 3. Driver Side Approach** - This approach is used in unknown risk situations only when the officer consciously decided that safety is not a concern, or due to vehicle positioning a driver's side approach is the safest approach. This approach may also be utilized, when deemed safe to do so by the officer, for suspected impaired drivers.
- a. Exit patrol vehicle and approach the subject vehicle along the driver's side.
 - b. Stop behind the driver's door and assess the situation.
 - c. Use your weak hand to obtain drivers license, registration, and proof of insurance.
 - d. When completed, return to police vehicle and watch subject vehicle. NOTE: Driver's side approach traffic stops expose the officer to more risk than any other type of stop. Extreme caution should be used on this type of approach. No approach and passenger side approach stops are safer and are considered the preferred methods.

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G. Driver/Vehicle Checks

1. As a standard procedure, officers should run a computer check of everyone stopped. The check should include a warrant check, driver's license check and vehicle registration check if the registration form is not available.
2. When writing the citation the officers remain alert to their surroundings. The citation should be written at the right rear bumper of the police vehicle. It is acceptable to write the citation inside the vehicle during inclement weather.
3. On a no approach traffic stop, have the defendant return to and remain inside his vehicle while the citation is written.
4. There are two acceptable techniques for issuing the citation.
 - a. When issuing the citation, the officer stands at the right rear bumper or right front side of the police vehicle. The defendant should be positioned either at the right rear wheel or in front of the right front headlight.
 - b. During inclement weather it is acceptable to perform a passenger side approach and issue the citation to the defendant while he/she remains inside.
5. When issuing the citation, follow the guidelines as provided in section 506.3.
6. Return all documents (driver's license, registration, and proof of insurance) to the driver.
7. Assume and maintain an acceptable officer safety stance while issuing the citation.

H. Completion of the Stop

1. Advise the driver not to pull out into traffic until the emergency lights are deactivated and the driver has made sure the way is clear to reenter traffic.
2. Watch the driver as he returns to the vehicle. Make sure that there is no traffic approaching when the driver returns to his vehicle.
3. Do not advise the Communications Center of in service until the defendant has left the scene.
4. At the time the officer initiates the traffic stop the officer is responsible for the safety of the violator.

I. General Rules

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1. Observe the stopped vehicle carefully.
2. Use the P.A. system to contact the driver (if the no approach technique is used).
3. Be considerate and courteous while dealing with the driver and occupants.
4. Speed is not essential. Take time to address safety tactics.
5. Be careful of surrounding traffic.
6. Watch the subject's hands.
7. Keep your weapon hand free.
8. Keep the subject's vehicle door closed.
9. Control the driver's movements.
10. Carry the flashlight in the weak hand. If necessary, it can be used to create a distraction.
11. Consider having the driver turn the engine off.

J. Basic Traffic Stop Requirements

1. Greeting: Morning, Afternoon, or Evening
2. Identify self & Department: I am Officer _____ with the Palm Bay Police Department.
3. Reason for the stop.
4. Any justifiable reason for the observed action?
5. Drivers license: Note - before asking the driver to retrieve their license, obtain the location of the license and ask if there is anything in that location that may cause you alarm. This will limit the defendant's opportunity to move freely throughout the vehicle possibly obtaining a weapon or destroying contraband.
6. Registration and insurance. After obtaining the drivers license use the same technique listed above to retrieve these items.

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7. Decision: After obtaining the driver's information, make sure that the D.L. matches and the address is still the same. Inform the driver there is a need to evaluate the paperwork and instruct the driver to stay in their vehicle until instructed to do otherwise.
8. Take appropriate enforcement action.

505.20 High Risk Vehicle Stops - This section establishes criteria and procedures for conducting High Risk vehicle stops. High-risk vehicle stops require an adjustment from unknown risk stop procedures to increase the safety of those officers involved. High-risk stops are usually associated with armed suspects or violent criminal activities. While it is possible to conduct a High Risk Vehicle Stop with only two officers/vehicles, three are recommended. This increases the safety of those officers involved and reduces their assigned duties. This section is consistent with the current Department training on High Risk Vehicle Stops and High Risk Handcuffing Techniques. [<Lesson Plan HR Vehicle Stops>](#) [<Lesson Plan High Risk Handcuffing>](#)

A. Officer Assignments

1. **Primary Officer** - The officer who initiated the traffic stop.
2. **Takedown Officer** - The officer on scene who gives verbal commands when the primary officer turns over control of suspect; cuffs, secures, and interviews suspect(s).
3. **Cover Officer** - The third officer on scene.

B. Vehicle Positioning

1. **Primary Officer Vehicle** - The officer's vehicle is positioned approximately 5 to 6 car lengths behind the suspect vehicle. The vehicle should be offset a full car width and to the left of the vehicle being stopped. The take down lights, high beams, and spotlight are used to illuminate the interior of the suspect vehicle during low light conditions. The wheels should be turned all the way to the left. The shift selector should be in Park and the engine should be left running. The driver's door should be fully opened with the front windows rolled down. The doors of the vehicle should be unlocked.
2. **Take-Down Vehicle** - The officer's vehicle is positioned to the right of the primary vehicle at a slight angle inward. The vehicle's left front bumper should be approximately one car width from the primary vehicle's right front bumper. The vehicle's high beams, takedown lights, and spotlight are focused on the passenger side of the suspect vehicle during low light conditions. The doors of the vehicle should be unlocked.

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3. **Cover Vehicle** - The officer's vehicle is positioned behind and perpendicular to the primary and takedown vehicles. The driver's door is positioned away from the suspect vehicle. The vehicle's overhead lights should be turned off to avoid backlighting officers on the scene. All doors should be unlocked.

C. Officer Positioning

1. **Primary Officer** - The primary officer should be positioned in the open doorway of his/her vehicle.
2. **Take-Down Officer** - The takedown officer should be positioned in the open doorway of the vehicle.
3. **Cover Officer** - The cover officer should exit the vehicle and move to the right rear of the takedown vehicle, positioning himself/herself to provide a clear, uninterrupted view of the passenger side of the suspect vehicle. Other acceptable positions include at the open passenger door of the takedown vehicle or to the right of takedown vehicle.

D. Officer Responsibilities

1. Primary Officer

- a. The officer will notify the Patrol supervisor and Communications Center of the impending high-risk vehicle stop, inform them of the reason, and request additional officers. 10-33 will be initiated on the operating radio channel.
- b. The officer will direct other responding officers to the projected stop site and assign functions for the responding units.
- c. The officer will ensure the vehicle's video camera is activated and operational before the stop. The officer will choose the safest location, given the circumstances, for the stop once assisting units are in close proximity.
- d. Once the stop is accomplished and assisting officers are in place, the officer will verbally direct the occupants of the vehicle via the public address system. The officer will use clear and concise directions to the occupants so to articulate a reasonable belief the occupants could hear and understand the direction. The direction imparted will be consistent with the Departmental training received in High Risk Vehicle Stops.

E. Take-Down Officer

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1. The officer will maintain a diligent watch on the driver's side of the stopped vehicle. The officer will advise the primary officer of any unusual movement or actions by the occupants. The officer will assume command and control of each occupant as the primary officer positions them at the front of the primary and takedown vehicles.
2. The officer will provide verbal direction and perform high risk handcuffing techniques consistent with the Departmental training received in High Risk Vehicle Stops. [**< LP High Risk Vehicle Stops >**](#)

F. Cover Officer

1. The officer will maintain a diligent watch on the passenger side of the stopped vehicle. The officer will advise the primary officer of any unusual movement or actions by the occupants.
2. The officer will provide verbal direction and perform high risk handcuffing techniques, as needed, and be consistent with the Departmental training received in High Risk Vehicle Stops.

G. Vehicle Pursuit - If the driver of the vehicle fails to stop, or flees after the stop, the decision to pursue the vehicle must be founded on probable cause to believe the driver or occupants have committed a violent felony as defined in the Vehicle Pursuit General Order [**<GO 214>**](#). The pursuit will be governed by procedures as outlined in GO 214.

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Subject: Traffic Crash Investigation		Order No: 506
Rescinds: GO 506 Revised: 08/31/16	CFA 5th: 18.03, 18.04, 18.05	Revised: 10/24/2018
Reference: GO 505, 303, 215, 316.066 FSS		
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506.11	<u>Responsibility of Personal Property at Crash Scenes</u>	

506 Policy

- A.** All members of the Agency assigned to traffic crash investigations will be properly trained and have knowledge of traffic laws related to the cause of traffic crashes.
- B.** The primary responsibility of members assigned to traffic crash scenes is to save and protect lives.
- C.** Arriving members will immediately assess the scene and complete the following tasks as appropriate:
 - 1.** Administer emergency medical care and provide basic life support.
 - 2.** Request emergency medical assistance as needed.
 - 3.** Request additional assistance (e.g. members, officers, tow truck, etc).

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4. Prevent additional crashes through traffic direction and control.
 5. Protect the crash scene.
 6. Direct a safe traffic flow around the scene.
 7. Preserve short-lived evidence.
 8. Locate witnesses and record crash information.
 9. Expedite removal of crash vehicles and debris from the roadway.
 10. Coordinate hazardous materials assessment with the assigned Fire Department units.
- D. Traffic crashes involving injuries or death will be investigated as thoroughly as possible and the driver who caused the crash charged with the appropriate statutory violations.
- E. All traffic crash reports will be completed correctly and submitted promptly.

506.1 Definitions

- A. **Minor Injury** - Injuries which do not require immediate medical attention. A person involved in a crash who refuses medical treatment by reporting they do not want EMS or refuses medical treatment by signing a waiver, and/or is not transported to a medical facility via ambulance will be considered a crash with no injuries or minor injuries.
- B. **Minor Damage** - Damage that does not render the vehicle inoperable. Damage that can be easily repaired on the roadside such as a flat tire, broken headlight or taillight, buckled fender which prevents the wheel turning, etc.
- C. **Significant Damage** - Damage that renders the vehicle inoperable. Damage that cannot be easily repaired on the roadside such as a crushed radiator, a bent axle, etc.
- D. **Significant Injury** - Injury that requires immediate medical attention. Injury which requires transport to the hospital for treatment.
- E. **Traffic Crash** - A crash involving a motor vehicle, which in any manner results in bodily injury to or death of any person, or damage to any vehicle or other property. **Crashes with injury or total damage of \$500.00 or greater**

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must be reported to the State on a Crash report. This includes crashes, which are intentional or involve legal intervention.

- F. Vehicle Mishap** - A vehicle mishap is defined as a single vehicle incident in which the *only property damaged* is confined to the vehicle involved. In this case a report is NOT required *unless* the driver or passenger is significantly injured then a long form is required. (Example of Vehicle Mishap - vehicle in motion blows a tire, spins out of control, and stops. The only damage is bent rim and flat tire.) This does not require a report. However, if this causes the vehicle to roll over and there is significant injury than a report would be required.
- G. Traffic Way** - The entire width between property lines, or other boundary lines, of every way or place of which any part is open to the public for the purposes of vehicular travel as a matter of right or custom. All highways are traffic ways, but traffic ways include some areas on private property such as shopping centers.
- H. Environmental Factors** - Those aspects that would have an effect on the operations of emergency vehicles. These may include, but are not limited to: weather, time of day, traffic conditions, pedestrians, school zones, the officer's emergency vehicle operating experience, etc.
- I. Placard** - A placard is a ten and three-quarters inch square, diamond required by the Department of Transportation to be placed upon certain vehicles to indicate the presence of dangerous quantities of hazardous materials.

506.2 Citations

- A. Discretion** - Officers investigating traffic crashes, to include Agency and City vehicles, may exercise discretion on issuing citations when:
 1. The property damage and/or injuries are limited to the driver and the driver's vehicle is a single at fault vehicle.
 2. The property damage to the not at fault party is minor damage.
 3. There is no injury, or very minor (minor bumps, scrapes, etc.) injury to the not at fault party.
 4. If each driver of the vehicles involved are equally at fault the officer may choose not to issue citations or issue citations to both drivers.

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B. Mandatory Citation - Officers will issue a citation when investigating crashes, to include Police Department and City vehicles, when:

1. The officer can determine the party at fault, **and**;
2. The property damage to the **not at fault party is significant damage, or**:
3. There is significant injury to the not at fault party.

506.3 General Responsibilities - Although conditions may dictate flexibility in the sequence of handling traffic crash scenes, the following procedures are generally followed:

A. Urgent Response - Officers may respond in urgent mode to traffic crashes involving serious bodily injury, unknown injuries, or major traffic congestion, considering environmental factors. All other traffic crashes should be responded to in a routine manner. When responding in this manner, officers will advise that they are "10-18" to the communications center.

B. Protect Scene and Temporarily Detour Traffic

1. Upon arrival, park police vehicle properly to provide maximum protection to the injured and/or vehicles.
2. Alert approaching traffic by activating emergency lights.
3. Deploy traffic cones and/or flares to move traffic in direction desired.
4. Preserve any short lived evidence. Tire impressions, skid and yaw marks, gouge marks, or debris until it can be gathered, photographed or otherwise recorded.
5. Notify Public Works to arrange for equipment (barricades), if needed.
6. Arrange for relief to continue the detour until the obstruction or safety issues are resolved.

C. Emergency Lights Operational - Emergency lights will remain in operation until the roadway is sufficiently cleared to allow the resumption of normal traffic flow. Once protection of the scene is no longer necessary, the patrol vehicle will be moved to a position of safety.

D. Check for Injuries - Render first aid, if necessary. The initial officer will provide emergency medical treatment and basic life support, and ensure

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medical assistance is requested and responding from the Palm Bay Fire Department and Brevard County Emergency Services.

- E. Traffic Control** - Make the scene as safe as possible by arranging for temporary traffic direction and crowd control, if necessary. The initial, or assisting officer, will establish a route of travel by other traffic around the crash site as soon as possible.
- F. Drivers Contacted** - Contact each driver to obtain a driver's license, registration, proof of insurance, and again determine if anyone in the vehicle has a complaint of injury. Ask for complete details of how the crash occurred, making appropriate entries on the traffic crash reporting form. Observe drivers for possible D.U.I. Locate possible witnesses and obtain a written or recorded statement.
- G. Driver Statements** - Observe the position of each vehicle and other physical evidence and obtain a brief explanation, preferably recorded, from each driver as to how the crash occurred.
- H. Move Vehicles** - If the driver's accounts of the crash generally agree, and do not conflict with physical evidence, the vehicles should be moved from the roadway as soon as possible. If there are injuries associated with the crash, the location of the vehicles should be marked before they are moved from the roadway.
- I. Towing** - In the event a vehicle cannot be removed, arrange for towing. If conditions permit, the officer will ask the drivers if they have a tow service preference or if they want one off the Police Department Wrecker Rotation list. The initial officer will arrange for the removal of vehicles and debris as soon as practicable without adversely affecting the outcome of the investigation.
- J. Driver Exchange Information** - After the vehicles have been moved to a safe location, furnish each driver with a case report number on either a business card or a "BUYCRASH.COM" form. If requested by the driver(s), a Driver Exchange of Information may be printed from the TraCS program.
- K. Notification Insurance Carrier** - Explain to drivers the need to notify their respective insurance companies and how to obtain copies of the officer's report.
- L. Exchange Forms** - Check the driver information exchange forms for accuracy and exchange them.

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M. Citations - If the officer determines a traffic violation did occur and responsibility can be established, the issuance of a citation will be governed by section 506.2.

N. Assist All Parties Involved - Arrange for each driver to go safely on his way and offer any assistance appropriate. Ensure all passengers and involved parties are listed on the crash report.

O. Scene Safe - Ensure the scene is safe for traffic.

506.4 Investigation Criteria

A. State of Florida Report - All traffic crashes meeting the criteria of this section reported to the Palm Bay Police Department will be investigated and reported on the "State of Florida Traffic Crash Report."

B. Long Form Required - The report will be completed in accordance with [316.066 FSS](#). The investigation and long form will be completed whenever one or more of the following circumstances exist:

1. A traffic crash involving a fatality.
2. Personal injury to, or any indication of, complaints of pain or discomfort by any of the parties or passenger involved in the crash.
3. Occupied hit and run crashes involving suspect information or significant injury.
4. Involved a violation of [FSS 316.061\(1\) \(Hit and Run\)](#) or [316.193 \(D.U.I.\)](#).
5. Traffic crashes involving a City vehicle, City liability, City-owned property or property controlled by the City, or involving any vehicle or property controlled by another governmental agency.
6. City owned traffic signs or fire hydrants do not require a long form. All such crash damage will be photographed.
7. Traffic crashes involving the carrier of hazardous materials.
8. When either vehicle is rendered inoperable due to significant damage which would require a wrecker to remove it from the scene of the crash. This would not apply in situations (changing a tire, adjusting a fuel cutoff switch) when a simple adjustment could be made to start the vehicle.

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C. Short Form - A Short Form Crash Report must be completed in the following situations:

1. Crash scenes where the total damage to vehicles and property is \$500 or more and does not involve any of the above listed criteria for a long form. When short forms are completed they must include:
 - a. The date, time, and location of the crash.
 - b. The description of the vehicles involved.
 - c. The name and address of the parties involved, including all drivers and passengers, and the identification of the vehicle in which each was a driver or passenger.
 - d. The names and addresses of all witnesses.
 - e. The name, badge number and law enforcement agency of the officer investigating the crash.
 - f. The names of the insurance companies for the respective parties involved in the crash.
2. A short form will be given to the citizen to fill out when:
 - a. A long form is not required.
 - b. A citizen wishes to report a traffic crash that happened over 24 hours ago and no officer responded to the scene.
3. VCOPs who have received the required traffic investigation training are authorized to investigate minor traffic crashes and complete the short form.

D. Driver's Exchange - Driver's Exchange of Information must be when the total damage to vehicles and property is \$500 or less and involves no injuries (no report required). However, all short and long form crashes will be completed using TraCS.

506.5 General Investigations

A. Hit and Run

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1. Hit and Run crashes involving an unoccupied vehicle, no suspects, no injuries, and where property damage is estimated at \$500 or less may be handled by the reporting party completing a FHP blue form and mailing.
 2. Hit and Run crashes involving an unoccupied vehicle, no suspects, no injuries, and where property damage is estimated at more than \$500 require a short form crash report.
 3. Hit and Run crashes where vehicles involved are occupied, there is a suspect, or any injury requires the completion of a Long Form crash report.
 - a. Obtain information on the description of the vehicle, the area of damage, the description of the driver, and the direction of travel as soon as possible. Relay this information to the Communications Center, requesting a broadcast of the BOLO to the other units and appropriate neighboring agencies.
 - b. Continue the investigation in a normal manner by getting any possible information from the driver and witnesses. Update the Communications Center and the BOLO as more information becomes available.
 - c. Gather any physical evidence left by the hit and run vehicle (parts of the car, tire marks, paint scrapings, etc.). Submit the findings to Property and Evidence as evidence to place the hit and run car at the scene.
 - d. Canvass the area for witnesses. Get their statements in writing if possible. Obtain the name, addresses and phone numbers of the witnesses. If a person in the area says that he saw nothing, make a note of it in order to prevent a later contrary statement. This is especially true and important in a traffic homicide investigation.
- B. Serious Bodily Injury or Death** - Crashes with serious bodily injury will be reviewed by the district supervisor or watch commander as to its seriousness. If there is a reasonable likelihood of death or a death has occurred; the supervisor will call out a Traffic Homicide Investigator (T.H.I) and a D.U.I Investigator (D.R.E).
1. If it is determined that a Traffic Homicide Investigator and D.U.I Investigator will be called, the scene will be secured as a crime scene; crime scene tape should be used if appropriate. No evidence marking will be done as it may compromise an investigation.

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2. The T.H.I and D.R.E will take over Command responsibility once on scene and are responsible for processing, documenting and controlling the crash scene.
 3. All witnesses, drivers and passengers will be separated and all pertinent information will be obtained for the T.H.I or the D.R.E. All attempts should be made to keep drivers, witnesses and passengers on scene until T.H.I has conducted interviews.
 4. The originally assigned USD officer will be responsible for compiling all of the necessary information for the long form and submit it to the T.H.I unit.
 5. Drivers and passengers involved (if not transported to the hospital), **WILL** remain on scene and are not free to leave until T.H.I has interviewed them.
 6. Crime scene should be called immediately to photograph the scene and will do all evidence collection at the direction of the lead T.H.I.
 7. No evidence will be moved until T.H.I has arrived. This includes vehicles, vehicle debris large or small, bodies, or any other part or thing involved with the crash. Traffic should be routed around debris.
- C. D.U.I - Drivers** who the officer reasonably believes were impaired and involved in the crash will do the following:
1. Place the driver in control of the vehicle at the time of the crash. For the criminal D.U.I investigation, if the driver is not behind the wheel with the keys in the ignition upon the officer's arrival, actual physical control will be established through testimonial evidence from the other driver and/or witnesses.
 2. Another officer other than the primary officer should be assigned the D.U.I investigation while the officer works the crash.
 3. If "2" is not possible, the officer will complete the civil traffic crash investigation then "change hats" (inform suspect driver of his Miranda Rights when applicable) and conduct the criminal traffic investigation on the suspected driver pursuant to Traffic Enforcement General Order [<GO 505>](#). The "traffic crash investigation" only consists of the verbal interview with the suspect; the actual crash report does not have to be completed prior to the D.U.I investigation.

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4. Crashes involving a death or a substantial likelihood of death, which involve an impaired driver, will be investigated by a D.U.I investigator (D.R.E).

D. Disturbance Between Drivers - Officers will maintain order at the scene of the crash and separate drivers and occupants of all vehicles involved to avoid verbal or physical altercations.

E. Involving Trains - In the event of a traffic crash involving a train, the following procedures are necessary in addition to the usual traffic investigation:

1. Upon arrival, care for any injured.
2. If injuries involved, call out the Traffic Homicide Investigator and Evidence Technician.
3. Locate and identify the engineer and the conductor.
4. Record the engineer's name, train number and engine number.
5. If probable cause exists, the officer may request the engineer to submit to a blood-alcohol test or other chemical test.
6. Take the necessary photographs.
7. Mark key points for measurements and diagrams.
8. Clear the track and right of way.
9. Allow the train to continue with minimal delay.
10. Conduct a thorough examination of the railroad crossing, including grade, visibility, and condition and operation of control signals. Notify railroad officials for technical inspections of the railroad tracks.
11. Coordinate follow-up effort with railroad investigators and the conductor to determine personnel on the train, their assigned responsibility and their location at the time of the crash.
12. Notify the Staff Duty Officer, Emergency Management Coordinator and email cleanwater@pbfl.org.

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F. Traffic Crashes Involving Hazardous Materials - The following are procedures for a crash involving Hazardous Materials. Incidents of this nature need to be properly assessed and, based on the type and extent of Hazardous Materials, the procedures in the Critical Incident [<GO 215>](#) and/or ICS manual [<OMA 215>](#) may be necessary.

1. Upon arrival at a traffic crash scene, the officer must be alert for hazardous materials. The initial officer may determine this by looking for the placards and other identification on the carrier.
2. The officer should question the driver regarding the load danger and limitations of containment. If the placard is not present or the placard is improper, the officer should take the appropriate enforcement action.
3. If a recognized hazard exists, the assigned officer will take appropriate action to stabilize the conditions by providing adequate protection to the scene, isolating the immediate area, notifying his field supervisor, and requesting the Brevard County Fire/Rescue (Hazardous Material Team) respond to the scene. Determine wind direction and approach/remain up wind. Notify other units.
4. If hazards exist, rescue those persons in the hazard area, if possible, avoiding physical contact with the dangerous substance and remaining upwind.
5. The officer should look for sources of information identifying the particular substance and its characteristics. These sources of information include:
 - a. The shape and type of transporting vehicle.
 - b. The driver of the vehicle.
 - c. If the driver is not available, the officer should look for placards on the truck, search the truck for shipping papers, key-cards, driver's log, and examine labels, which may be on containers in the vehicle. The Fire Department should be involved in the assessment.
6. The officer or FD may advise the Communications Center of the name of the transport company for telephone follow-up in order to identify the material. The Communications Center will notify Chem-Trec for additional procedural information concerning the hazardous substance.
7. Eliminate the possibility of sparks from smoking, flares, or electricity. **All two-way radio transmissions should be discontinued within a one-**

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quarter mile radius until the nature of hazardous material has been established.

8. Upon arrival of the field supervisor and the Hazardous Material Incident Commander the assigned officer will relinquish command and remain to assist with traffic and crowd control until properly relieved.
 9. The field supervisor or Hazmat Incident Commander is responsible to:
 - a. Summon appropriate fire-fighting and ancillary services.
 - b. Summon assistance for traffic and crowd control.
 - c. Evacuation of the surrounding area depending upon the degree of the hazard.
 - d. Maintain isolation of the area until the hazard is cleared.
 - e. Carefully control the movement of vehicles within the area detouring traffic as necessary.
 - f. Contact the shipping source or the receiving agency for recommendations in handling the emergency as soon as possible.
 - g. Request emergency medical services as needed.
 - h. Notify the Staff Duty Officer, Emergency Management Coordinator, and email cleanwater@pbfl.org.
 10. Once the hazard has been neutralized, the assigned officer will resume command of the crash scene and conduct the crash investigation within the procedures outlined in this directive.
- G. Traffic Crashes Involving Fire Hazards** - In the event an officer responds to a traffic crash and identifies a fire hazard, or fire has already ignited, the officer will:
1. Immediately request the Fire Department respond to the scene and **request emergency medical services as required.**

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2. If practical, based on the size of the fire, attempt to extinguish with the patrol unit fire extinguisher.
3. Remove all injured parties, drivers, passengers, witnesses and bystanders away from the hazard to a location of safety.
4. Notify the on-duty supervisor.
5. Arrange to divert traffic from the area of danger.
6. Upon arrival of the Fire Department, relinquish command to the on-scene Fire Department Commander.
7. Once the fire is extinguished or hazard removed, the officer will again assume command of the scene and conclude the crash investigation.

506.6 Traffic Crashes Involving Palm Bay City Vehicles (In-House Investigation)

- A. Minor Crashes** - All city vehicle crashes, which occur within the jurisdictional boundaries of Palm Bay and result in minor injury, minor damage or less, will be investigated by the Agency.
- B. Traffic Officer Investigates** - If a Traffic Officer is on duty, they will be requested to investigate the crash. If there is no Traffic Officer working, the on-duty commander will determine who will be assigned to work the crash. If deemed necessary by the watch commander, a Traffic Officer may be called out.
- C. Long Form Report** - The officer assigned to investigate the crash will complete a long form crash report, take proper measurements, take photographs and obtain proper witness information to include written or oral recorded statements.
- D. Notify Immediate Supervisor** - The patrol supervisor will notify the employee's immediate supervisor of the traffic crash as soon as possible. The Agency chain of command will also be notified in accordance with the Emergency Notification General Order [GO 303](#).
- E. Police Vehicle Crash** - If a police vehicle is involved in a traffic crash, a Traffic Officer will respond to investigate the crash. If there is any suspicion of drug or alcohol impairment by one of the involved drivers; a D.U.I Investigator (D.R.E) will also be requested to respond. If the crash occurs outside the city limits, a Traffic Officer will respond to conduct an in-house investigation when

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possible. If the crash results in death or serious injury of a person(s), the crash will be investigated by the Florida Highway Patrol, another sworn agency determined by the Chief of Police, and/or FDLE. [GO 225.4](#)

F. Tow of City Vehicles - Disabled city vehicles will be towed to the City maintenance facility. A non-revenue wrecker will be called.

G. Traffic Report Review - All traffic crash reports involving Agency/City vehicles will be forwarded to the Internal Affairs Unit for review.

H. Traffic Crashes Involving Palm Bay City Vehicles/Emergency Vehicles from Other Agencies (Outside Investigation)

1. All City vehicle crashes that result in significant injuries, significant damage, death, because of emergency response mode or a vehicle pursuit and crashes resulting from criminal traffic violations **will be investigated by the Florida Highway Patrol**. An Agency traffic homicide investigator will also respond to conduct an in-house traffic crash investigation.
2. Any crash involving a city owned police vehicle which results in serious bodily injury or death will be investigated by the Florida Highway Patrol or an outside agency at the discretion of the Chief of Police. The sworn supervisor in command will ensure that General Order 225 is strictly adhered to in these instances.
3. Any vehicle crash, which occurs within the jurisdictional boundaries of the City of Palm Bay that involves an emergency vehicle from another agency, **will be investigated by the Florida Highway Patrol**. Our Agency will investigate the crash only at the other agency's request.
4. A long form crash report will be completed, along with proper measurements and witness statements. Detailed witness statements should be either written or audio recorded. The Agency chain of command will also be notified in accordance with the Emergency Notification [GO 303](#).
5. The on duty, or on call, Evidence Technician will be contacted to respond for photographs and/or video. The Evidence Technician will also assist with evidence collection at the request of FHP.

I. Copy of FHP Report - The traffic homicide investigator and any other designee will obtain a copy of the report from FHP as soon as possible.

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J. Internal Affairs Notified - IAU will be notified immediately and forwarded a copy of the crash report and photos within 24 hours.

506.7 Traffic Fatality - <[OMA 506.2](#)>

506.8 ATV Crashes- [316.2074 FSS \(4\)](#) - specifically for ATV's:

- A.** It is the intent of the Legislature through the adoption of this section to provide safety protection for minors while operating an all-terrain vehicle in this state.
- B.** As used in this section, the term "all-terrain vehicle" means any motorized off-highway vehicle 50 inches or less in width, having a dry weight of 900 pounds or less, designed to travel on three or more low-pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator with no passenger.
- C.** No person under 16 years of age will operate, ride, or be otherwise propelled on an all-terrain vehicle unless the person wears a safety helmet meeting United States Department of Transportation standards and eye protection.
- D.** If a crash results in the death of any person or in the injury of any person which results in treatment of the person by a physician, the operator of each all-terrain vehicle involved in the crash will give notice of the crash pursuant to [316.066 FSS](#).

506.9 Supervisor Responsibilities in Traffic Crashes involving City Vehicles

- A. Notify Risk Management Team from the City Attorney's Office** - The supervisor will notify the Risk Management Team from the City Attorney's Office without unnecessary delay.
- B. Required Notification** - The supervisor will ensure notification is made to Agency personnel as required by [GO 303](#).
- C. Injured Employee** - If an employee is injured, the supervisor will refer to the City Worker's Compensation reporting procedures [City Intranet Worker's Comp Page](#).
- D. Complete Reports** - The supervisor will complete the applicable Risk Management Office incident investigation reports.
- E. Forward Reports** - The supervisor will forward all employee injury reports to the Department Safety Manager who will in turn forward to the Risk

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Management Team from the City Attorney's Office. Traffic crash reports go to the reporting member's supervisor.

506.10 Vehicle Mishap - A vehicle mishap is defined as a single vehicle incident in which the *only property damaged* is confined to the vehicle involved. In this case a report is NOT required *unless* the driver or passenger is significantly injured then a long form is required. (Example of Vehicle Mishap - vehicle in motion blows a tire, spins out of control, and stops. The only damage is bent rim and flat tire.) This does not require a report. However, if this causes the vehicle to roll over and there is significant injury than a report would be required.

506.11 Responsibility of Personal Property at Crash Scenes

A. Primary Officer Responsibility - The assigned officer at scenes of traffic crashes will ensure that the personal property of principals of the crash who are unable to care for their property is safe.

1. Property will be stored in the vehicle's trunk if possible.
2. If it is not possible to secure property in the trunk, the officer will arrange for its transfer to persons designated by the owner. If no one is available to receive the property, the officer will take it for safekeeping.
3. Vehicle inventory will be conducted prior to vehicle's release to the wrecker service.
4. Vehicle report will be completed including the inventory section.

B. Safekeeping - The officer will secure the property in a safe place until the property can be released. Items brought to the Agency for safekeeping will be entered into the Agency Property and Evidence system.

C. Criteria - Only property of an extremely valuable nature will be taken for safekeeping and a receipt issued. Supervisory approval will be obtained prior to taking any valuable property for safekeeping. If the property is cash, other currency or jewelry the procedures as outlined in Property and Evidence [General Order 701](#) will be followed.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Traffic Control and Tow Enforcement	Order No: 507	
Rescinds: GO 507 Revised: 04/22/15	CFA 5th: 18.07, 18.08, 18.09, 18.10, 18.12, 18.13	Revised: 11/01/17
Reference: OM A507, 705 FSS, City Ord. Chapters 71 and 73, Campbell v. State, 667 So.2d 279 (Fla. 1st DCA 1995)		
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507.5	<u>School Crossing Guard Program</u>	
507.6	<u>Towing Procedures</u>	

507 Policy

- A.** The safe flow of traffic along the traffic ways of the City is a primary responsibility of the Agency.
- B.** The Agency will perform traffic control procedures when necessary. The following situations may require an officer to perform traffic control:
 1. The scenes of traffic crashes where the roadway is blocked or otherwise obstructed
 2. The locations of malfunctioning traffic control devices
 3. Special events
 4. Any other circumstance where manual traffic direction is warranted
- C.** The law enforcement function of towing vehicles is also an Agency responsibility. Vehicles may be towed in the following situations:
 1. Vehicle is obstructing a public roadway or right-of way.

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2. Vehicle is disabled in an accident.
 3. Vehicle is abandoned pursuant to [705.FSS](#) [Ordinance 71](#) [Ordinance 73](#).
 4. Vehicle was used in commission of a criminal offense and impoundment is necessary.
 5. Vehicle is subject to forfeiture pursuant to the Contraband Forfeiture Act.
- D. Vehicles that are under the control or towed under Agency authority will be properly inventoried and the owner's personal property reasonably protected and secured if the owner is unable to care for it.

507.1 Traffic Control Procedures.

- A. **Criteria** - The practice of utilizing police officers to provide manual direction of traffic will be conducted only in situations requiring immediate traffic control action to reduce imminent traffic hazards.
- B. **Portable Control Devices** - If possible, officers will first attempt the use of portable traffic control devices such as traffic cones, road flares, or portable stop signs. The use of an officer to provide traffic control will only be practiced after all other resources are exhausted and as a last resort.
- C. **Location Criteria** - The criteria for designating a location or point requiring manual traffic direction are as follows:
1. A high incidence of traffic crashes attributable to the lack of traffic control.
 2. The volume and flow patterns of traffic.
 3. The speed of traffic.
 4. The volume of pedestrians.
 5. The duration of the congestion problem.
 6. Roadway obstructions.
 7. Accident scenes.

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D. Manual Hand Signals - In the case of a malfunctioning traffic signal, the officer will provide manual hand signals for traffic control until the signal is restored or a temporary traffic control device is mobilized.

E. Temporary Devices - For emergency situations requiring temporary traffic control, the on-duty supervisor may cause temporary traffic control devices to be erected at affected locations. These devices will remain in place until the emergency has subsided at which time the supervisor will direct their removal.

F. Required Traffic Control Equipment:

1. Officers and members authorized to direct traffic will wear their issued traffic safety vests while performing traffic control or at accident scenes.
2. Flashlights with appropriate traffic control cones will be used during hours of darkness or adverse weather conditions which significantly reduce visibility. The flashlight should be used with the traffic wand.
3. Officers should use issued whistles to audibly control traffic, in addition to visual signals.
 - a. Stop - one long whistle.
 - b. Go - two short whistles.
 - c. Attention - four or more short, sharp whistles.

G. Executing Hand Signals - Employees will use hand signals as follows:

1. "Stop" - The arm is extended at shoulder level toward approaching traffic with the palm out and fingers pointing upward.
2. "Go" (forward) - The employee should stand with his shoulder and side toward the traffic to be started. He will point at the driver and establish eye contact. The pointing arm is swung from the elbow with the palm up through a vertical semi-circle until the hand is adjacent to the chin. This gesture is repeated until the traffic begins to move. To start traffic from both directions, the procedure is repeated for traffic from the other direction.
3. "Turns" - The employee will point at the driver and establish eye contact. The employee will indicate the turn by bending the arm at the elbow and pointing in the direction of the turn. Left turning traffic should not be

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directed to move while the employee is directing oncoming traffic to proceed.

4. When directing pedestrians, the employee must first control the vehicular traffic. Pedestrian traffic will be coordinated into the traffic pattern. Pedestrians should walk from corner to corner in the same direction as the traffic is flowing. The employee should point in the direction intended. Whistle blasts directed at pedestrians should be moderate in volume.
5. When conditions require, a traffic wand should be used as an extension of the hand and index finger. Signals and directions should be exaggerated and repeated often. The wand should be turned off when it is not being used.
 - a. When using the wand to command a “stop”, the employee should face oncoming traffic holding the wand with the elbow bent and the wand horizontal.
 - b. When using the wand to command “go” or turns, use the same gestures as described in hand signals.

H. Controlling Traffic Effectively - To control traffic effectively the officer should follow these guidelines:

1. Continually observe traffic for conflicts such as backed-up traffic lanes, excessive changes in flow speed from slow to fast, or vehicles blocking intersections.
2. Firmly establish personal control by performing all signals and movements with precision and by insuring drivers obey signals.
3. Give priority to the major route. All secondary road traffic moves during breaks in the major flow. If breaks do not occur, allow traffic to accumulate on secondary roads before directing it to move. Make changes in flow direction only when the intersection is clear.
4. Ensure heavy vehicles have sufficient go time to build up speed and sufficient stop time to slow down and stop.
5. Allow right turns whenever they do not interfere with traffic flow and do not create a danger for pedestrians.
6. Make sure opposite lanes are stopped before allowing left turns to be made. It is best to permit left turns during natural breaks in the traffic flow.

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7. Communicate traffic flow with other officers at the traffic control point or other intersections, if applicable. Traffic control by two or more officers should be conducted on a separate radio channel.
 8. If congestion occurs, hold other lanes until it is cleared.
 9. If two lanes must merge, alternate the traffic flow.
 10. If exit lanes are filled, prohibit further turning movements.
 11. If necessary, put the traffic light on flash. (Coordinate with traffic device repair company)
- I. Crash Scenes** - Minor traffic crashes requiring a crash report do not present a major problem relative to traffic direction. In these cases, the officer should note the position of each vehicle and other relevant physical evidence and have the vehicles moved to a safe location, restoring normal traffic flow, and then complete the report. In a serious traffic crash requiring a detailed investigation, the scene may need protection for an extended period. In these cases, officers will follow these procedures:
1. Summon sufficient personnel to handle traffic direction responsibilities.
 2. Utilize sufficient equipment to temporarily protect the scene. If barricades and traffic cones are needed in addition to road flares, the officer should notify his/her Patrol supervisor who will arrange for necessary equipment.
 3. Detour traffic as necessary.
 4. Give priority to collecting the information necessary at the scene to facilitate restoring normal flow of traffic.
 5. Restore the scene to a safe condition (arrange for replacement of damaged traffic control signs) and restore traffic flow, as soon as possible.
 6. Continue traffic direction duties until traffic flow is normal.
- J. Traffic Control at Fire Scenes** - There are times when officers will be needed for traffic control at fire scenes. This may occur when:
1. An officer on scene observes a fire department hose line being laid down across a roadway or other transverse area.

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2. The nature of the fire makes travel hazardous or debris and smoke from the fire require traffic be diverted.
3. The fire official in charge of the scene requests traffic is diverted for fire department operational considerations.
4. The police supervisor on scene requests traffic is diverted for the public's safety or to prevent interference with fire control efforts.
5. If the officer on scene observes a fire hose being laid across a roadway, or smoke and debris are, in the officer's opinion, making travel on the roadway hazardous, the officer will notify the on-duty supervisor and take appropriate action to divert the flow of traffic around the hose line or hazardous area.
6. When requested by the fire department official-in-charge, the officer will provide the traffic control requested and request a police supervisor respond to assess the situation. Upon arrival, the police supervisor will assign units to provide the necessary level of traffic control.

K. Use of Non-Sworn Members and Volunteers - Civilian Agency employees (VCOPs) and Desk Booking Specialists (DBS) may be used for traffic control procedures and/or crash investigations provided they attend the mandatory training, as follows:

1. Traffic Crash Investigations - This is a course that is instructed by an Agency approved certified Instructor. This course allows civilians, under the auspices of the Palm Bay Police Department, to investigate vehicle crashes not involving injuries or criminal violations.
2. Traffic Control Procedures - Civilians and VCOPs may be used for traffic control upon successful completion of instruction on traffic control procedures taught by an Agency approved instructor. Civilians should only be used in minor intersections or to block or divert traffic flow.
3. Any civilian conducting traffic crash investigations or TCP will have/wear the following equipment:
 - a. Safety Vest.
 - b. Flashlight with directional wand.
 - c. Cones and/or flares if necessary.

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4. Agency designated non-sworn members and volunteers are authorized to perform traffic control duties based on their level of training.
5. Members in this category will wear uniforms distinctly different from sworn members.

L. Speeding Complaints - Complaints received from citizens of on-going speeding will be handled in the following manner:

1. The complaint will be forwarded to the VCOPs by the Division Commander or designee, Police Liaison or a traffic officer. The complainant will be contacted and informed of what will be done. The VCOP or traffic officer will inform the complainant that a speed evaluation will be conducted.
2. The VCOPs or traffic officers will conduct a speed evaluation. A speed evaluation can be accomplished by use of the radar trailer, or radar units by a patrol or traffic officer.
 - a. If the average speed of vehicles measured during the speed evaluation is ten (10) mph greater than the speed limit, the speed evaluation and complaint will be returned to traffic officers for special attention or traffic enforcement.
 - b. If the average speed of vehicles measured during the speed evaluation is less than ten (10) mph over the speed limit no further enforcement action will be taken.
3. The traffic officer or designee will re-contact the complainant and inform them of the results of the speed evaluation.
 - a. If the speed evaluation results indicate average speeds less than ten (10) mph over the speed limit, the complainant will be told the infractions indicated do not meet the criteria for special enforcement action; however, random patrols will monitor the location.
 - b. If the speed evaluation results indicate average speeds of ten (10) mph over the speed limit the complainant will be informed that special enforcement action will be assigned.
 - c. The Division Commander or designee will be informed of the status of the speed complaint.

507.2 Escorts

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A. Public Officials and Dignitaries

1. These types of escorts may be provided when a request for escort has been reviewed and approved by the Chief of Police or designee.
2. Escorts will be provided to the Secret Service, FBI, FDLE, or other Federal or State Agencies when assistance is requested to assure the safety of dignitaries or other persons.

B. Emergency Vehicles - Officers may escort fire trucks or ambulances that are operating in the emergency mode (lights and sirens) in the performance of official duty to expedite a safer and faster response.

C. Funerals - The representative of the funeral firm or organization must make the request for the escort through the Communication Center or the on-duty commander. The on-duty commander will request **prior approval** from the Chief of Police, or designee, for all funeral escorts. All funeral escorts will be conducted with on-duty members. Off-duty escort details must be pre-approved by the Chief of Police, or designee. The request will be processed as follows:

1. The request should be made at least 12 hours in advance. The on-duty commander will coordinate the arrangements. Larger processions which require more planning and manpower should be arranged at least 24 hours in advance.
2. Escort details escorting four or more vehicles with the deceased will adhere to all statutory requirements as provided in [< 316.1974 FSS >](#).

D. Oversize Vehicles/Loads/Hazardous or Unusual Cargo - The company or organization hauling an oversize vehicle or vehicles through the City should contact the Communications Center or on-duty commander at least 24 hours in advance to request traffic control or escort assistance. The on-duty commander will arrange for the escort based on available manpower and the type of escort. Consideration should be given to the time of day, traffic flow and route to be taken.

E. Civilian Vehicles in Medical Emergencies

1. Officers will not escort civilian vehicles carrying injured or ill persons in an emergency mode.

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2. Officers may, in some situations, show or lead a civilian vehicle to the closest emergency medical facility or fire station without using emergency equipment in the routine response mode.

507.3 Roadblocks

A. General - Roadblocks may be an appropriate tool to assist officers in apprehending persons who have escaped, committed a crime or are evading arrest. Officers will use roadblocks in a manner designed to be most effective and, at the same time, create a minimum amount of danger to all involved and the public. Roadblocks will be authorized and implemented in accordance with the procedures in this policy. The decision to set up a roadblock must be made by the expressed approval of the on-duty supervisor, who will be in charge of the roadblock and its staffing. The supervisor may cancel the roadblock at any time. The supervisor may, if the circumstances prevent his/her presence at the roadblock, designate an officer in charge of the roadblock. The supervisor's decision will be based on the following factors:

1. Types of Roadblocks

- a. Moving roadblocks "boxing in," **are prohibited.**
- b. Authorized roadblocks may be fixed or checkpoints.

2. Fixed Roadblocks

- a. A fixed roadblock requires the blocking of a road at a certain or fixed point.
- b. A fixed roadblock will not be used to apprehend a fleeing vehicle, or as part of any pursuit.
- c. Fixed roadblocks may be used for:
 - Apprehension of a fleeing felon (as a method of search and not pursuit).
 - Containment or isolation of crime scenes, riots, civil disorders, or other restricted zones.
 - Limiting or stopping traffic flow during emergencies or adverse conditions.

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- Other circumstances approved by a supervisor.
3. Fixed roadblocks must provide the suspect with the opportunity to stop (e.g. no roadblocks on curves).
 - a. Lights and flares will be utilized.
 - b. No private vehicles will be used.
 4. Officers must be properly equipped to set up the roadblock. Strategic placement must be reasonably determined.
 5. The supervisor's decision will be based on the following factors:
 - a. The seriousness of the crime.
 - b. Sufficient information and descriptions of the wanted person(s) and vehicles.
 - c. The elapsed time between the criminal act and discovery.
 - d. Availability of units and manpower for an effective roadblock.
- B. Preplan** - Roadblocks must be preplanned to the fullest extent possible because time does not permit adequate deployment on any other basis. Officers must be properly equipped to set up a roadblock and strategic placement must be reasonably determined. Considerations are as follows:
1. Location should be considered based on terrain, natural and manmade obstructions, such as hills, curves, bridges, etc.
 2. Adequate warning to approaching traffic is a necessity. A reasonable system of warning to motorists approaching the roadblock will be in operation prior to the closing of the highway.
- C. Firearms** - Firearms may be made ready for use at roadblocks. Firearms will be used in compliance with the Agency Use of Force General Order [<GO 201>](#) and Firearms General Order [<GO 202>](#).
- D. Pursuits** - Fixed road blocks to terminate a vehicle pursuit are strictly prohibited.
- E. Routine Regulatory Checkpoints** - Checkpoint type roadblocks include but are not limited to: D.U.I. detection, driver's license checks, or checking for

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other regulatory compliance. The following is required for regulatory checkpoints. [<Campbell v. State, 667 So.2d 279\(Fla. 1st DCA 1995\)>](#)

1. A written plan for the checkpoint will be completed **before** any checkpoint is authorized. The Special Operations Division Commander or Uniformed Services Division Commander, or designees, will be responsible for authorizing regulatory checkpoints.
2. The written plan will include the following:
 - a. The purpose of the checkpoint (for instance, a sobriety checkpoint or check of driver's licenses).
 - b. Date, time, and location of the scheduled event.
 - c. A detailed procedure for members participating in the checkpoint to follow. For instance the flow and direction of traffic, removing stopped vehicles from the dangers of traffic, etc. (a procedure for vehicles evading the checkpoint).
 - d. The system or criteria for selecting vehicles to be stopped (for example, is the checkpoint requiring every vehicle be stopped, or every third vehicle). The bypassing of vehicles may reduce traffic congestion or reduce safety concerns associated with the location of the checkpoint.
 - e. Detention techniques to be used. What will the drivers who are stopped be told or asked. What FCIC/NCIC computer checks will be done and the plan for releasing if a computer response is not promptly returned.
 - f. The supervisor-in-charge will provide duty assignments and definitive responsibilities for each participating member.
 - g. The disposition of vehicles.
 - h. The supervisor assigned or officer in charge of the checkpoint is responsible for staffing arrangements and will ensure compliance with the written plan.
3. The Uniform Services Division Commander will maintain the written checkpoint plans consistent with record retention criteria.

507.4 Traffic Related Assistance

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- A. Stranded Motorists** - Officers will render aid to stranded motorists by assisting in the prevention of damage, injury, or death as a result of hazardous materials or road conditions. Officers will provide reasonable assistance to ensure the safety of the motorist and help the motorist obtain a tow or repair service and alternative transportation. Officers may, if calls for service demand permits, change tires for stranded motorists. A motorist or vehicle that poses a dangerous situation will be protected with the use of available high visibility devices, i.e., flares or emergency vehicle lights, to alert oncoming traffic.
1. Officers will render non-technical assistance to stranded motorists including information, direction, and assistance with flat tires. The extent of service rendered may vary based on circumstances at the time.
 2. Officers will confirm with the stranded motorists if further assistance has been summoned prior to the officers departure.
 3. Courtesy transportation may be afforded by adhering to procedures listed in [<GO 210.3>](#).
 4. Officers will assist the motorist in obtaining technical assistance, if needed, by calling or having a person/service of their choice called to respond or imparting information to interested parties.
 5. Emergency towing of a vehicle presenting a hazardous situation, when the motorist does not have a preference or is not accessible to the officer will be accomplished by adhering to the procedures listed in [<GO 507.6>](#).
 6. In case of vehicle fires, officers will ensure motorists and passengers are in a safe location, if possible. Officers may use their fire extinguisher and call for the Palm Bay Fire Department to respond depending on circumstances.
- B. Emergency Assistance** - In all situations where it is apparent that the citizen is in need of assistance or there is a medical emergency, the officer will stop and take appropriate action. Officers will render first aid to motorists, if needed, consistent with training and experience. Fire Rescue will be summoned for emergency medical assistance.
- C. Hazardous Highway Conditions** - Officers will take appropriate action or summons assistance on hazardous highway conditions that they may come upon or is reported.

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1. Officers will report any damage to the appropriate agency through the Communications Section. Officers will provide traffic control, if needed; until the danger is repaired, replaced, or other assistance is rendered.
2. Officers will take action to remove hazardous debris from the roadway. The appropriate agency will be notified through the Communications Section for removal of the debris if the officer is unable to accomplish removal.
3. Officers will report roadway defects to the appropriate agency through the Communications Section.

D. Control and Removal of Hazardous Material - Control and removing of hazardous material or spills is typically handled jointly with the Palm Bay Fire Department. Control and removal procedures in [<GO 506.5E>](#) will be followed.

507.5 School Crossing Guard Program - See [<OM A507>](#)

507.6 Towing Procedures - Unless the vehicle meets the specific criteria provided in Policy statement 507(C) of this directive, the Agency will not tow vehicles from private property. The authority and responsibility for tows on private property rests with the property owner.

A. Revenue and Non-Revenue Tow - Prior to having a vehicle towed the determination of type of wrecker service payment category needs to be made. The Revenue or Non-Revenue wrecker services are listed in the Communications Center.

1. **Revenue Tow** - Tows involving vehicles that have a current registration and have apparent intrinsic value. The wrecker service receives payment for the service call from the vehicle owner or other responsible party. The Agency is not responsible for the service charge or storage fees.
2. **Non-Revenue Tow** - Tows involving city vehicles seized vehicles or abandoned vehicles with no identifiable owner that are located on public property in a wrecked, inoperative, or partially dismantled condition or which has no apparent intrinsic value to the rightful owner. The wrecker service is not paid for the service call by the Agency.

B. Requirements - Any vehicle that is towed will be documented on a [<Vehicle Form>](#) and/or wrecker log. Incident reports will be completed if the member requests the tow. This information will include:

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1. Time.
2. Date.
3. Location.
4. Requesting member/officer.
5. Reason for removal or tow.
6. Towing service name.
7. Location of vehicle (tow service address).
8. Notification (or attempts) to the registered owner.
9. Inventory of contents.
10. Placing and removal of holds.
11. Enter or remove vehicle from FCIC/NCIC when applicable.
 - a. The officer initiating the tow will provide a copy of the Vehicle Report to the Communications Section prior to the end of tour.
 - b. The Communications Section will enter the vehicle into FCIC/NCIC, when applicable.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Juvenile Operations	Order No: 508	
Rescinds: GO 508 Revised: 03/15/17	CFA 5th: 16.01, 16.02, 16.03, 16.04	Revised: 05/30/18
Reference: 985 and 39 FSS, Prisoner Care GO 211, Records Operations, GO 305, Section OM A502.158 Runaway Juveniles		

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508 Policy

Recognizing the police role regarding juveniles in the Criminal Justice System, the Agency is committed to the development and the continuation of juvenile delinquency prevention and control programs. The purpose of this directive is to codify and promulgate the organization and administration of this agency's juvenile operations. All members of the Agency, who deal with juveniles in their

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duty assignments, will follow the procedures provided in this General Order in regards to juvenile contacts and arrests.

508.1 Agency Commitment - The Agency is committed to the development, implementation, and perpetuation of programs, which are directed towards the prevention, and control of juvenile delinquency. With these programs, the Agency is able to impact the juvenile offender in a timely manner with a specialized approach, which clarifies for the offender the level of accountability which society expects. In holding the offender accountable for his/her actions, both society and the offender benefit. All agency components and personnel share this commitment and responsibility. Procedures will conform to the Florida State Statutes relative to juveniles.

508.2 Youth Services Unit - (School Resource Officers)

A. Functions - Personnel assigned to the Special Operations Division that is responsible for administration of the Juvenile Operations function of the Agency. The functions to be performed include:

1. Assisting Uniform Services Officers, **Community Resource Officers**, and School Resource Officers personnel in the design and implementation of programs intended to prevent and control delinquent and criminal behavior by youths.
2. Follow-up processing of juveniles arrested.
3. Coordination and preparation with the arresting officer of court cases in which a juvenile offender is involved.
4. School Resource Officers program.
5. Youthful Offender Program (YOP) Coordination and responsibility for the overall needs of YOP.

B. The Special Operations Unit Commander or designee also acts as a liaison for school officials in the city limits for the City of Palm Bay.

508.3 Youthful Offender Program (YOP)

A. Violation of Probation

1. Youth has violated sanctions of probation and subject to provisions under State Statute. [<985.207\(1\)\(d\) FSS>](#)

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2. Actual physical custody arrest upon establishment of probable cause.

B. Conditional Release

1. Youth on probation has been sentenced and has successfully completed a court ordered a commitment program and is back in the community.
2. Violations of this are subject to provision under [985.101\(1\)\(d\)](#).
3. Actual physical custody arrest is warranted upon the establishment of probable cause.

C. Home Detention - Youth has committed a violation of law and has been granted home detention in lieu of incarceration. Violations of this are subject to provisions under [985.101\(1\)\(d\)](#). Actual physical custody arrest must be made. Filing charges is not applicable in this situation.

D. Post Commitment Probation - Youth has completed a court ordered commitment program and has entered back in the community with specific court sanctions. Violations of this are subject to provisions under [FSS 985](#). An actual physical arrest is warranted upon the establishment of "probable cause". Filing charges is not applicable in this situation unless supported by additional criminal offense(s).

E. Behavior Order

1. Civil Court Order.
2. Violations are filed through the SAO - Juvenile Unit.
3. Violations are before the judge within 24 - 48 hours.

F. Crosswinds Youth Services/Shelter/JAC-Cocoa

1. Shelter for Runaway/Truant/Ungovernable.
2. LEO youth drop off facility 24/7.

508.4 Staffing - The Special Operations Division will designate one or more persons as Juvenile Officer(s). Said officer(s) will specialize in juvenile offenses, and review follow-up cases involving juveniles. In addition, these officers will assist field officers with juvenile issues and maintain liaison with other agencies and organizations interested in juvenile matters.

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508.5 Investigations, Arrests and Processing of Juveniles

A. Official Juvenile Contacts

1. **Official Contact** - Any official contact between members of this Agency and a juvenile will be documented in written form.
 - a. Delinquent and/or dependant cases require the filing of an Offense/ Incident report.
 - b. The rules governing delinquency/dependants cases involving juveniles are detailed in [FSS 985](#) for delinquency cases and [FSS 39.401](#) for dependency cases
2. A Call for Service (CFS) may be filed in lieu of an Offense/Incident report for truants returned to the school system and contacts where no delinquent or dependant violation occurs.
3. When an officer contacts a juvenile for any of the following reasons, attempts to contact their parents or guardians will be completed:
 - a. Suspected criminal activity without arrest.
 - b. Trespass Warning issued.
 - c. In the company of another person who is arrested.
 - d. Any other reason the officer deems appropriate to notify the juvenile's parent.

B. Arrest of Juveniles - It is the policy of this agency that juveniles arrested will be transported to the Agency for the booking process and notify Crosswinds - Juvenile Assessment Center (JAC)/Juvenile Detention Center (JDC). This center provides a centralized as well as standardized information network that will provide efficient, effective and timely processing of juveniles.

C. Judicial Attention Requested - When a delinquent or status offense has occurred, probable cause exists for the arrest of the juvenile offender and the juvenile cannot be located, an arrest affidavit should be completed. The arrest affidavit (923.01) must detail the offense in question. This affidavit will be forwarded to the Juvenile Division of the Brevard County State Attorneys Office for review as a "referral". If possible, an arrest warrant should be secured through the Brevard County State Attorneys Office in lieu of the above.

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D. Juvenile Civil Citations - As authorized by Florida Statute [985.12](#), the Civil Citation is an alternative to arrest for children and youth under the age of 18 who commit certain non-serious misdemeanor offenses.

1. Qualifying factors include:

- a. Current charge is a misdemeanor offense
- b. The youth admits guilt
- c. The youth is not currently under supervision with the Department of Juvenile Justice

2. Disqualifying factors include:

- a. The youth has received two prior Civil Citations

3. The following offenses are not eligible for Civil Citations:

- a. A misdemeanor involving a firearm charge
- b. A misdemeanor that involves exposure of sexual organs or other sexually related behavior (this does not include the Sexting guidelines)
- c. A misdemeanor that is directly related to, or part of a gang activity

4. The following offense are eligible for Civil Citations upon agreement by the victim, family and state attorney:

- a. Assault
- b. Battery
- c. Non-firearm related weapon charges

5. The victim, the suspect, and the suspect's parents or legal guardian(s) must also agree to the issuance of the civil citation in lieu of arrest.

6. Procedure

- a. Verify the suspect is under the age of eighteen.

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- b. Contact JDC at 321 690-3400; they can conduct a records search to determine criminal history of the suspect or any pending charges (juveniles may only receive a maximum of two citations).
- c. The civil citation program will be explained to all parties involved:
 - The juvenile will receive immediate services.
 - Restitution and/or civil demand will be a component of the program.
 - Non-compliance with the program conditions will result in a referral to the SAO for criminal prosecution.
 - The victim will be advised to contact Crosswinds Youth Services for issues concerning restitution or civil demand.
 - When the citation is issued, the member will inform the suspect that they have the option to refuse the citation and have criminal charges filed in lieu of the citation. This option may be exercised at any time prior to the completion of the incident.
 - The 923.01 will be used for the civil citation by writing the words, (after printing the form), "Civil Citation," on the top right corner of the form. The number 6 will be entered on the form showing that it is a juvenile referral.
 - The probable cause on the 923.01 will begin with the words, "This is a Juvenile Civil Citation," then continue with the probable cause statement.
 - In the mandatory appearance in court section, enter, "Contact Crosswinds Youth Services within seven days at 321-452-0800."
 - Enter the cost of the investigation on the [923.01](#) after completion of the Investigative Cost Recovery Request.
 - The member will issue the citation, (923.01), to the juvenile at the point of contact. The member will audio and/or video record the issuance if able.
 - The Civil Citation pamphlet will be given to the parent and/or guardian by the issuing member.

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- The 923.01 and Investigative Cost Recovery Form will be submitted through normal channels.

7. Records Unit - A copy of the Juvenile Civil Citation, (923.01), and request the cost for investigation to Crosswinds Youth Services at 321-633-0635.

E. Sexting Citations <GO516>

508.6 Discretion Decision Factors (ROR)

A. Considerations - Any sworn member of this Agency, when making decisions relating to a juvenile offender's arrest, will take the following factors into consideration:

1. **Except for felony offenses**, the nature of the alleged offense.
2. The age and the circumstances of the alleged offender and victim.
3. The alleged offender's prior history.
4. The environments to which the juvenile would be released and the likelihood that family intervention will prevent further incidents similar in nature.
5. The availability of community based rehabilitation programs.

B. Criteria for ROR to Parents/Guardian

1. **Traffic Arrest - See Traffic Enforcement (Stops) [GO 505.6\(B\)](#)**
2. **Other Misdemeanor Arrests** - Normally Juveniles will be processed through the Brevard County Juvenile Assessment Center/Crosswinds and/or Brevard County Juvenile Detention Center. Exceptions to this policy for misdemeanor arrests would be through the permission and the approval of the Juvenile Assessment Center /Juvenile Detention Center or Agency Supervisor when rare exigent circumstances exist. These circumstances will be documented in the written report. Required documentation is as follows:
 - a. **JAC Notice to Report form** - After conferring with JDC regarding the Juvenile's eligibility for ROR, the arresting officer will complete this form, give a copy to parent/guardian, and fax it to JDC (Crosswinds).

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- b. **923.01 Charging Document** - completed with a Juvenile Court date. The juvenile and the parent /guardian will sign the 923.01. Must include parent/guardian address and contact information.

508.7 Alternative Remedies for Juveniles

A. List of Alternatives - At times, a delinquent act committed by a juvenile may be remedied by the responding officer in the field without formal processing as in minor disputes. For example, in such cases an Offense /Incident report will be completed. Alternatives available to the officer include, but not limited to:

1. Warn and Dismiss.
2. Informal Referrals: Church, private organizations, or local medical organizations or Juvenile Officer.
3. Corrective action by parents.
4. The dropping of formal charges, or refusal of complainant to prosecute (written statement from the complainant stating same is recommended).
5. When a juvenile is taken into custody, or detained, by this agency under the above circumstances, the officer may, after obtaining pertinent information, release the juvenile to a parent, adult guardian, relative, or adult neighbor who agrees to be responsible for the juvenile until the parent is available. An adult is defined as a person 18 years of age or older.
6. If adult supervision is not available, the officer will contact the Juvenile Assessment Center (JAC), and place the juvenile at the discretion of the intake officer, as mandated by Florida State Statute.
7. Refer to **FSS 985** reference detention criteria.

508.8 Referral of Juvenile Offenders to the Juvenile Court System.

A. Referrals - A juvenile referral to the Juvenile Court System should be restricted to those cases involving criminal conduct, or repeated criminal violations. In general, delinquent acts requiring referral to the Juvenile Justice System would include.

1. Delinquent acts, which if committed by an adult, would be a criminal act.

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2. Delinquent acts, involving assault or battery.
3. Gang related delinquent acts.
4. Delinquent acts involving weapons or firearms.
5. Delinquent acts committed by a juvenile on probation or parole, or by those with a case known to be pending.
6. Repeated delinquent acts.
7. Juveniles who have been selected for a diversion program, but have refused to participate.
8. Cases where it has been determined that parental supervision is not effective.

508.9 Procedures for Taking Child into Custody

A. Legal Guidelines - Taking a child into custody is governed by the following Florida State Statutes:

1. Delinquency cases.
2. Dependency cases. [FSS 39.401](#)
3. Child In Need Of Services. [FSS 984.04](#)
 - a. Truant.
 - b. Runaway.
 - c. Ungovernable.

508.10 In Custody Processing Procedures.

- A. Transporting Juveniles** - Juveniles will be transported to the Brevard County Juvenile Assessment Center or Brevard County Juvenile Detention Center **without undue delay. Unless a co-defendant, adult prisoners will not be transported, or held in regular contact (sight and sound), with the juvenile.** [GO 211](#)
- B. Medical Attention** - Juveniles in need of medical attention will be transported to an appropriate medical facility as directed by JAC. If the medical condition

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is of an emergency nature, the juvenile will be transported to the closest medical facility, and the situation if necessary, handled based on [FSS 39.304](#).

C. Parents or Guardians - Will be contacted without undue delay.

D. Radio in Mileage - Whenever an officer transports a juvenile for any reason the officer will radio in the starting and ending mileage to the Communications Center on a recorded dispatch channel.

508.11 Constitutional Rights - All juveniles taken into custody will be afforded their Constitutional Rights prior to being interrogated. [GO 604](#)

A. Adult Rights - Juveniles are entitled to the same Constitutional Rights as an adult.

B. Parent Present - In any circumstance where a juvenile is taken into custody by this agency, all efforts will be made to contact a parent or legal guardian and to have them present prior to any interview or interrogation.

C. Parent Co-sign - The parents or guardians should be present for and to confer with the child prior to the waiving of, or signing of, any Constitutional Rights form prior to interview, and should co-sign the appropriate form.

D. Waiver - Voluntary and intelligent waiver of right to remain silent and the right to the presence of an attorney is required.

E. Parent Unavailable - The inability of this agency to contact the juvenile's parents or guardian will not serve to delay the interview or interrogation of a juvenile subject.

F. Waiver of Rights - The following factors should be considered in determining a juvenile's ability to knowingly waive his/her Constitutional Rights without the presence of a parent or guardian.

1. Juvenile's age.
2. Juvenile's maturity, sophistication.
3. Juvenile's intelligence, intellectual functioning.
4. Juvenile's education.
5. Juvenile's experience.

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6. Juvenile's ability to comprehend.
 7. Juvenile's prior police contacts.
 8. Juvenile's demeanor, emotional state, attitude toward offense, attitude toward interviewer.
 9. Juvenile's health-alertness, illness, food, sleep, influence of drugs and alcohol.
- G. Process Explained** - The procedures used in the processing of juveniles will be explained to the juveniles as the process progresses.
- H. Interviewing Officers** - No more than two officers will be directly involved in an interview at any time. The mere presence of three or more officers in a field situation is not prohibited, but when practical, the number of officers should not exceed the number necessary to control the situation at hand.
- I. Time Limit** - Interrogation should not last any longer than is necessary to gain adequate information on the matter of concern. In no case should an interrogation last longer than **three hours** without the approval of a supervisor.
- J. Six Hour Rule** - Law enforcement officers must not hold for any longer than six hours any youth accused of a criminal type offense in a secure booking area of a jail or other facility intended or used for the detention of adults. The clock begins when the youth is taken into the secure facility. Taking a youth out of and then placing them back in secure detention status cannot reset the clock. The time the juvenile is out of the secure detention status counts as part of the six hours.
- K. Burden with State** - The presence of a juvenile's parent/guardian is not constitutionally required, but the burden of knowledgeable waiver lies with the State.
- L. Interview Breaks** - Juveniles should be allowed breaks for personal necessities.

508.12 School Liaison Officer Program

- A. Duties** - The Special Operations Division of the Agency will maintain a School Liaison Officer who will:
1. Act as a resource with respect to delinquency prevention.

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2. Provide guidance on ethical issues in classroom setting.
3. Provide individual counseling to children.
4. Conduct programs in the schools explaining the Law Enforcement role in society.

B. School Administration - The Special Operations Division Commander or designee will also maintain active roles within school administrations throughout the City of Palm Bay.

508.13 Procedures for the Collection, Dissemination and the Retention of Juvenile Fingerprints, Photographs, and other Identification

A. Fingerprints Required - All juveniles taken into custody for delinquent acts, which if committed by an adult would be a violation of law, may be fingerprinted and photographed as per Florida State Statutes. The following fingerprint and photograph procedures will apply to juvenile arrests:

1. One set of fingerprints, palm prints and a photograph will be taken.
2. The fingerprint cards will be filled in (front and back) with appropriate information and signatures, and forwarded to the Criminal Investigations Division (CID) Fingerprints Identification Unit.
3. The photographs will be maintained by the MCU Crime Scene Unit.

B. Restricted Access - All such photographs and fingerprints will be kept in a separate file, said file to be marked "**JUVENILE-CONFIDENTIAL**". The dissemination of said files will be restricted as per [FSS 39.202](#).

C. Retention Period - The retention period for such records will be written in 39.202 FSS.

D. Other Identification or Evidence such as hair, blood, urine, nails, breath, or stomach contents will be retained until authorized by the Court to dispose of same, if a court case is pending, or until the statute or limitations expires for the offense for which the item of identification was taken in.

508.14 Procedures for the Collection, Dissemination, and Retention of Agency Records Pertaining to Juveniles [GO 305](#)

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- A. Separate Files - All juvenile records will be maintained separate from adult records.
- B. [FSS 39.202](#) Governs the release of juvenile records.
- C. [FSS 39.202](#) Governs the disposition of records relative to juveniles.
- D. [FSS 943.059](#) Governs the provision relating to court ordered expungement of records pertaining to juveniles.
- E. Access restricted to juvenile records will be on a “need to know” basis.

508.15 Records Unit Responsible for Juvenile Records - The Records Unit is the designated “Custodian of Records” and will be responsible for the collection, preservation and the retention of juvenile records. [GO 305](#)

- A. The Records Unit will assume responsibility for notifying school board security of any juvenile felony arrests made by the Palm Bay Police Department.

508.16 Child Abuse - Child Abuse victims and investigations will be handled per Call Types /Preliminary Investigations [Operating Manual A502](#) and Follow-up Criminal Investigations Division [OMA 602](#).

508.17 Runaway Juveniles - See (Call Handling and Preliminary Investigation OMA 502.18 and OMA 602).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Police Canine Operations		Order No: 509
Rescinds: GO 509 Revised: 07/02/15	CFA 5 th : 14.11	Revised: 07/11/19
Reference: OM A509, Department Canine Program, OM B509, Drug Detection Canine Program		
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509 Policy

It is Agency policy to have fully trained police canine, (K9), teams to assist officers with the law enforcement mission of this agency.

509.1 Organizational Structure- The canine teams are field units in the Uniform Services Division and are deployed at the direction of the USD Commander. Each canine team is assigned to a squad. The USD Commander will schedule the Canine Team for patrol service during the hours that the function is most useful. Canine Teams will also be scheduled maintenance time and training time to comply with law and to ensure proper performance. The Canine Team is responsible and accountable to the on-duty commander or supervisor for the period assigned to perform patrol services. A Canine ~~Supervisor~~ **Lieutenant** is assigned administrative responsibilities over the Canine Teams. A ~~USD Lieutenant or~~ **USD** Commander has command responsibility over the Canine Program.

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509.2 Authorized Use of Police Canines

- A. Police canines are utilized based on their training certifications in the areas of officer protection, offender apprehension, search applications, drug detection and public education of police canines. Except as provided in this directive, canines will not be used to apprehend suspects of misdemeanors or non-violent, low-level felony offenses, i.e., bad check, fraud or forgery.
- B. Canine handlers in the Drug Detection Program (DD) will adhere to State and Federal law, with an emphasis on search and seizure issues. DD canines will not be used in tactical or apprehension practices.

509.3 General Duties

- A. The primary responsibility of the canine teams is to provide canine team support to ~~the Uniform Services and Investigations Divisions~~ the Agency for searches of criminal suspects and missing persons, to aid in locating items of evidence or narcotics and to provide public service demonstrations as requested by public organizations. These duties will be conducted in accordance with the methods approved by the Agency as defined in this directive and within the parameters prescribed by law.
- B. Canine Teams will be deployed as needed by the on-duty supervisor and will remain available for officer requests for canine services during their scheduled duty hours. While on-duty and not involved in searches or drug detection, training or other directed duties, the team will conduct general police patrol and assist as back-up on calls for service. The team is expected to proceed in the general direction of the termination point of any pursuit of a suspect or last known location of recently missing persons. Generally, canine handlers should not work zone assignments or handle reports requiring lengthy on-scene or preliminary investigations.
- C. The DD Canines provide enhanced drug detection enforcement to the Department, as well as outside agencies. The program is designed to be a highly flexible and mobile team, performing specialized assignments that require trained canine teams with skills and tactics that may be associated with drug detection efforts. The DD Canine Team functions primarily as an asset to the Uniform Services Division officers, but is not exclusive of any other unit or outside law enforcement agency requiring special assistance.

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509.4 Procedures

- A. Call-Out and Utilization** - Supervisors or officers at the scene of a police incident may request assistance from canine teams. Deployment of the canine will be consistent with the criteria delineated in this directive. The canine handler is responsible for determining if the criteria for a proper search has been met and is conducted as prescribed in this General Order. The handler is responsible for the control and direction of the police service dog utilizing current Agency-approved procedures.
- B. Announcements and Search** - Prior to any search, the canine handler will ensure that the canine search announcement has been given. Any decision to omit announcements should be based on articulable considerations involving tactics and/or safety of the officer and the community **and may only be done with supervisory approval.**
- C. Canine Related Injury** - Whenever a reportable canine-related injury occurs, or is claimed, the involved handler will complete a K9 Response to Resistance Form. The on-duty supervisor will complete the supervisor portion of the form, including conducting the required investigation as detailed on the form. If the Canine ~~Supervisor or~~ Lieutenant is on duty, he/she will complete the supervisor portion of the K9 Response to Resistance Form. Such an investigation instills public confidence as well as reaffirming the Agency's commitment to an open and proper operation.
- D. Outside Agency Canine** - Use of canine teams from outside agencies for the purpose of locating suspects or missing/endangered persons, within the City of Palm Bay for this Department's initiated events, will only be conducted in exigent circumstances if no Palm Bay Canine Team is able to respond in a timely manner and then only with the approval of the on-duty supervisor.
- E. Training Aid Issuance/Return** – K9 Handlers, at the discretion of the K9 lieutenant or CPC, will be issued training aids which consist of FDLE or DEA tested/verified drugs for the purposes of drug sniff training. Initial issuance will occur after completion of the drug school if the handler will be issued the aids.
 - 1. Issuance/Inspection** -Aids will be issued from the Drug safe which is securely located in the K9 lieutenant's office. The procedure for issuance is as follows:
 - a.** The K9 lieutenant, in the presence of two sworn members of the agency, will be present while the drugs are taken into the evidence processing room. Once in the room, the weight of the package will be taken and

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verified twice. If there is an unreasonable discrepancy from the weight listed on the package, the CPC will be notified immediately. The CPC will dictate the course of action to determine the reason for the weight discrepancy.

- b. The aids will be issued to the handler and all three persons will sign the Controlled Substance Inventory form which will reflect who it is issued to as well as the substance and weight.
 - c. The handler will store the training aids in an affixed safe inside their K9 vehicle at all times while not utilizing them for training.
 - d. If the package becomes damaged or lost for any reason, the K9 lieutenant will be notified immediately and a report written, (K9 Other), documenting the circumstances surrounding the damage and/or loss of the item. The K9 lieutenant will notify the CPC who will determine if any further action is necessary.
 - If the item can be repaired, the training aid will be brought to the department and resealed in the same manner as initial issuance.
 - If the packaging is beyond repair, the item will be submitted to property evidence for destruction under the DR for the K9 other.
2. **Unannounced Inventory-** Every calendar year (annually) the K9 lieutenant will perform an unannounced inventory of all training aids. If there is a discrepancy noted, the CPC will be notified immediately who will determine any follow up actions.

509.5 Canine Deployment Criteria

The criteria for the deployment of the police service dog are as follows:

A. Suspect Apprehension

1. When probable cause exists to believe that individuals have attempted or committed a forcible felony for which they are being sought for arrest. Forcible felonies are described as the following pursuant to FSS 776.08: treason, murder, manslaughter, sexual battery, carjacking, home-invasion robbery, armed robbery, burglary, arson, kidnapping, aggravated assault, aggravated battery, aggravated stalking, aircraft piracy, unlawful throwing, placing or discharging a destructive device or bomb, and any other felony

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which involves the use or threat of physical force or violence against any individual.

2. When probable cause exists to believe that such individuals have attempted or committed a misdemeanor for which they are being sought for arrest **and** there exist articulable facts to support the belief that the suspect has armed him/herself with a weapon which if applied against searching officers could cause them serious injury or has threatened to use such instrument against police officers or others.
 3. Individuals who are reasonably believed to be fleeing from stolen vehicles with knowledge that the vehicle had been stolen (driver or accomplice passenger).
 4. Individuals who are being sought for arrest for domestic violence when there is a reasonable belief that further violence will occur if the suspect is not apprehended ~~and the victim is willing to pursue charges.~~
 - a. In these circumstances, the victim must have apparent physical injuries which are a result of the criminal act in which the suspect being pursued will be arrested.
 - b. There must be articulable facts that will be documented that will explain the circumstances surrounding the belief of further violence occurring if the suspect is not located.
 5. Individuals who have active warrants for their arrest reference to a forcible felony, ~~domestic violence related charges,~~ ~~or~~ auto theft, or misdemeanor warrants when the provisions of 509.5.A.2 are met .
 6. Individuals who are suicidal when such apprehension is intended to reduce the possibility of injury to officers or to the suicidal person.
 7. When the canine team is functioning as part of the Special Weapons and Tactics Team under the control of the SWAT Commander.
- B. Restraint of Police Dog** - A canine handler may utilize the police service dog to determine the location of any other criminal suspect not listed above by restraining the dog with a leash no longer than six feet in length. The dog must be prohibited from coming in contact with the suspect unless the dog is muzzled to prevent him from biting. If muzzled, the dog may be deployed off leash. This deployment method is extremely dangerous for the dog since he is unable to defend himself. It will be used in limited circumstances at the discretion of the

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canine handler as specified in the Department Canine Program Operating Manual. [<OM A509>](#)

C. Search Structure/Conveyance - A canine team may search the interior of a structure or conveyance if one of the following conditions exists:

1. Evidence of forced entry is present.
2. A keyholder of the structure or conveyance advises that no person is authorized to be inside and that the keyholder will assist in the prosecution of any person inside for the offense of burglary.
3. In the interest of officer safety, and because police service dogs are more effective and efficient searchers than their human counterparts, a police officer will not conduct a search of a structure when a police service dog is available, unless use of the police dog to search would be unnecessary or more disruptive than beneficial. This directive does not apply to tactical or dynamic entries of structures to remove barricaded suspects (or any other search conducted by SWAT). If the key holder cannot be located, the canine handler will utilize his police service dog to search the building so that it may be secured.

D. High Risk Situations/Suspects - A canine team may assist patrol officers in the execution of a high-risk stop to control and apprehend suspects who attack, flee, or refuse to comply with commands. The canine team may also clear and evacuate the subject vehicle to ensure that no suspect(s) are hiding within before a uniform officer approaches it.

F. Protect Officers from Attack - A canine handler may utilize his police service dog to control and apprehend suspects who are attacking officers or others when such attack constitutes a felony.

G. Police Dog Defending Self - A police service dog may defend himself from an attack.

H. Missing Persons - A canine team may search for missing persons who may be endangered. This includes, but is not limited to: small children reported missing, Alzheimer's patients who have wandered away, suicidal subjects, or persons who may be in need of immediate medical attention.

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I. Trained Drug Detection Canine Use

1. Conduct canine sniffs to locate the odor of illegal drugs, which may be concealed in vehicles, vessels, structures, or other containers in accordance with current law. The canine handler may utilize the drug detector dog to conduct a canine sniff during a traffic stop. This is permissible if the subject is not detained for the stop any longer than necessary for the purpose of the stop if no dog were present. However, if reasonable suspicion to believe that the vehicle or vessel contains illegal drugs, the subject may be detained a reasonable amount of time to allow for arrival of the canine to conduct a canine sniff.
2. Locate the odor of illegal drugs during the execution of a search warrant or any other time probable cause exists for an officer to conduct a search.
3. ~~A canine handler may utilize his drug detector dog to locate illegal drugs by directly sniffing a person if his dog is specifically trained for such action.~~

I. Article Search - A canine handler may utilize the police service dog to locate items that may be in a defined area by conducting an article search.

K. Public Education - A canine handler may utilize the police service dog to educate interested persons in the abilities of the police service dog.

509.6 Search Tactics

A. Safety Considerations - Police service dogs are more effective and efficient searchers than their human counterparts. The use of police service dogs provides officers with a decided tactical advantage when searching for hidden or concealed criminal suspects. This advantage is an invaluable tool in the rapid detection of criminal suspects and protection of officers, all to the end of assuring the safety of the community. In *Robinette v Barnes*, 854 F.2d 909 (6th Cir. 1988), the Sixth Circuit Court of Appeals recognized the value of police dogs..."Indeed, instead of generally causing deadly force to be used to apprehend criminals, we believe that these dogs often can help prevent officers from having to resort to, or be subjected to, such force. The use of dogs can make it more likely that the officers can apprehend suspects without the risks attendant to the use of firearms in the darkness, thus, frequently enhancing the safety of the officers, bystanders, and the suspect."

C. Respond to Search Location - When requested, canine teams will immediately respond to the search location, report to the officer in charge, and obtain all pertinent facts relating to the need for canine services. These facts

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include, but are not limited to the following: the threat level to persons, the community and/or police officers; the nature of the crime; and, if the search is in the best interest of the Department and the community. Safety of the public, the officers and the suspect will be of paramount concern. Upon receipt of this information, the handler will determine if the incident meets the canine deployment criteria. The Canine ~~Supervisor~~ Lieutenant or other ranking supervisor in charge of the scene may override the decision made by the handler.

509.7 Search Tactics

- A. Consultation with Primary Officer/Supervisor** - Prior to conducting the search, the canine handler will consult with the requesting patrol officer or supervisor to determine if the incident meets the canine search criteria. If the incident meets the canine deployment criteria, the canine handler will analyze the situation to determine the most effective method to conduct the search. Deciding factors include, but are not limited to the safety of the public and the officers; the nature of the crime; the threat level to officers and the community. [<Graham vs. Conner, USSC>](#)
- B. Advise Scene Supervisor** - The canine handler will then advise the scene supervisor of the incident of the requirements to conduct a proper search. The handler will determine physical limitations of the police service dog.
- C. Deployment Criteria** - If the canine handler believes the search does not meet canine deployment criteria or the request conflicts with directives governing the canine function, the handler will immediately notify the Canine ~~Supervisor~~ Lieutenant (or on-scene supervisor if ~~no~~ the Canine ~~Supervisor~~ lieutenant is not on duty). If the supervisor concurs, other tactical or procedural methods will be employed (i.e. - Announcement, Command Gas, Negotiations, or Tactical Entry).
- D. On-duty Supervision Authority** - Only in life threatening situations, with reasonable justification, may the on-duty supervisor or commander override the decision of the canine handler or Canine ~~Lieutenant~~ ~~Supervisor~~. Should the on-duty supervisor or commander exercise this option, he/she will notify the Uniform Services Division Commander as soon as practical.
- E. Handler Follows Guidelines** - The canine handler will adhere to the following guidelines when utilizing the police service dog to search for suspects:

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1. In the interest of safety of the canine team, handlers may conduct all searches for criminal suspects (except as noted in Section 509.3B) with the police service dog off leash.
2. At the start of a canine search, the canine handler directing the search will announce, or cause to be announced, a notice that a police service dog will be deployed. The announcement is intended to notify persons within the search area of the intent to use the police service dog and to afford the suspect(s) an opportunity to surrender. The announcement will be essentially as follows: "This is the Palm Bay Police Department. A police dog will be used to find you. If you surrender now, the dog will not be used." The canine handler will wait a reasonable amount of time for the suspect(s) to indicate surrender before beginning the search. **This warning will be repeated a minimum of two times before deploying unless there are articulable officer safety concerns to doing so.**
3. Recognizing the constraints of time and safety factors, in addition to other considerations, the supervisor or on-duty commander should attempt to secure the services of an interpreter when the known language of a suspect is not English.

Exception: Each canine search announcement must be balanced with concerns of safety for the public, the officer and the suspect(s). In those situations wherein known articulable facts indicate that tactics and/or officer or public safety may be compromised by an announcement, the canine handler will advise the on-scene supervisor of those facts and recommend that no announcement be made. If the supervisor concurs, the search may be initiated without the search announcement. On those searches where an announcement is not made, the facts supporting the decision and the name of the supervisor who concurred will be included in the canine handler search report.

4. The canine handler will make the decision as to the deployment of his/her police service dog to apprehend a suspect known to be armed. This decision will be based on the canine handler's training and experience, current law and Department policies regarding canine deployment and any other pertinent observations of the police service dog's level of performance at the particular time to be deployed. The on-duty supervisor/commander or Canine ~~Supervisor~~ **Lieutenant** may override the canine handler's decision after careful consideration of the handler's reasons for not deploying the dog. However, in this situation, the on-duty supervisor/ commander is encouraged to consult the Canine Supervisor or Canine Program Commander prior to deployment of the canine team, if possible.

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509.8 Apprehension Tactics

- A. Handler Directs Search Team** - During the course of a search for a criminal suspect the canine handler will direct the activities of the search team.
- B. Chemical Agents** - The use of chemical agents during the search will be at the discretion of the canine handler.
- C. Search Team Briefing** - Prior to initiating the search, the search team officers will be briefed by the handler on the general search pattern and tactical plan. The information should include the following points:
 1. The police service dog is off-leash during the search.
 2. Only the handler will watch the search dog.
 3. The officers are for handler protection to provide a tactical advantage when locating the suspect.
 4. The officers are to stay with the handler and refrain from using a flashlight as much as possible.
 5. The officers must follow the directions issued by the handler.
 6. In case of an altercation between the police service dog and the suspect or the handler and the suspect, search team officers will maintain an advantageous position and stand by until directed to take action by the handler. This reduces the chances for injury to all involved parties.
 7. Should the police service dog show interest in a search team officer, the officer should simply stand still.
 8. Once the suspect is subdued, the canine team will turn control of the suspect over to the other search team members.
 9. If the police service dog locates a suspect who is barricaded, the canine handler will command the dog to return to him. The suspect will be given an opportunity to surrender. Should the suspect refuse to surrender, the police service dog will be secured and chemical agent or other methods will be utilized.
 10. Should the suspect attempt to escape the search team, the officers WILL NOT give chase. The search team officers will follow the directions of the

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canine handler; and when searching attics or elevated places where the police service dog is not used, the canine will be secured prior to entering those locations to prevent the dog's reaction to the search team members when confronting any suspects. This procedure is designed to protect those involved in the search.

D. Armed Suspects - There are additional considerations in a search plan when the suspect is known to be armed.

1. If there is any indication the suspect is probably armed and isolated, tactical options for requesting SWAT should be considered. There are often borderline cases where SWAT may not respond and the situation becomes a patrol operation problem requiring canine assistance. These situations should be thoroughly discussed with the on-duty commander or the scene supervisor to avoid any unnecessary deployment of the canine team.
2. If the police service dog gives a positive alert identifying a suspect's location, all members of the search team are to take positions of cover and tactical advantage. The handler will call the police service dog back and gain physical control of the dog. Tactical considerations may preclude the calling back of the police service dog until the search team members have taken positions of cover. Appropriate arrest, defensive and control tactics will then be utilized to apprehend the suspect as safely as possible. The police service dog will not be used to inflict punishment, drag suspects from hiding places or for control measures except as herein provided. The canine should only be used as a tactical or control measure when it is likely that officers would be injured taking the suspect into custody, an officer is suffering injury attempting to control a suspect, the suspect will be able to conceal himself or achieve a position of tactical advantage, or is actively fleeing from officers.

509.9 Fleeing or Attacking Suspects (No Search)

The canine handler may utilize the police service dog to stop the escape of a suspect who meets the criteria set forth in Section 509.2A who is fleeing in an open area. The canine handler may utilize the police service dog to stop an imminent attack against himself or another where there is danger of serious injury. The canine handler will issue an announcement if circumstances permit which will be essentially: "Police. Stop or I'll send the dog."

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509.10 Restrained or Subdued Suspects

- A. Medical Treatment for Suspect** - Based on the severity of the injury to the suspect, the handler may request EMS to respond to the scene and provide initial medical treatment.
- B. Handcuffed Escapee** - The canine handler may not utilize the police service dog to apprehend a suspect who has escaped while successfully handcuffed unless the following conditions exist:
1. The suspect is likely to have armed himself; or
 2. The suspect is likely to have uncuffed himself; or
 3. The police service dog is restrained on a leash so that if the suspect again flees when located, the police service dog will not be allowed to physically seize him.
- C. Prohibited Actions** - The canine handler will **not** allow his police service dog to physically seize a suspect who is already subdued. A suspect is considered subdued when he is restrained by any level of police control. The canine handler will **not** allow the police service dog to physically seize a suspect who makes any movement that could **not** reasonably be believed to intend to result in escape or injury to the police service dog, officers, or others. Standing up rapidly does not constitute a clear intent to escape or injure. This section in no way prohibits the proper utilization of the dog to remove a suspect who conceals himself from officers and refuses to surrender. The canine handler will afford the suspect an opportunity to emerge from his place of concealment. However, if the suspect refuses, the handler may instruct his dog to physically remove the suspect from his vantage point.

509.11 Call-Out Procedures - The on-duty supervisor or commander will determine if a canine team will be requested to respond during off-duty hours. The on-call canine handler will be advised of the situation so that he/she may provide an opinion as to the benefit of a response.

509.12 Canine Related Injury Report

- A** Canine-Related Injury is an injury to a person(s) which results from or is alleged to have resulted from physical contact with a police service dog.

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- B. When a canine-related injury or claim of injury occurs, regardless of the circumstances, the Canine ~~Lieutenant Supervisor~~ or, if necessary, the ~~CPC~~ will be notified ~~by email, call or, if needed, respond to the scene.~~
- C. Medical Treatment for Suspect - Based on the severity of the injury to the suspect, the handler may request EMS to respond to the scene and provide initial medical treatment. All injured suspects will be transported to the hospital for medical treatment.
- D. Injuries occurring during training sessions or during veterinary visits are not considered canine related injuries for these reporting purposes. Injuries to officers arising out of training sessions are to be reported using current administrative methods for injury on-duty.
- E. Any canine-related injury as defined herein will require completion of a K9 Response to Resistance Form by the canine handler. ~~All reports of K9 related injuries will be documented in the online reporting system for canine.~~
- F. When an injury involves an incident investigated as an Officer Involved Shooting by Internal Affairs and/or the Criminal Investigations Division (I.A. /C.I.D.) any canine injury reports will be completed only as directed by the I.A. /C.I.D. investigator-in-charge.
- G. The on-duty commander will ensure that the Canine ~~Lieutenant Supervisor~~ is assigned to assist the I.A. /C.I.D. with their investigation as needed for the canine-related injury investigation. If the Canine ~~Lieutenant Supervisor~~ is the involved officer, the CPC will assist in the investigation.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Underwater Recovery Team and Watercraft		Order No: 510
Rescinds: None	CFA 5th:	Revised: 09/19/06
Reference: OM A510		
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510 Policy

- A.** The Under Water Recovery Team (URT) is responsible for all water related incidents in the City of Palm Bay.
- B.** Because of the special training and equipment necessary to handle water related incidents safely, it is policy that Department members utilize the URT whenever possible.

510.1 Responsibilities

A. Primary

1. Conduct underwater search and recovery of evidence or bodies.
2. Provide support service to the Fire Department rescue diving function.
3. Recover and salvage submerged vehicles involved in accidents.
4. Underwater recovery of property lost by accident, negligence, or for any other reason.
5. Promote water safety to the public and enforce local, state and federal law.

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510.2 Water Related Incident - Water related incident is defined as any incident or act that requires a systematic search to locate an item, or person, sought and/or entering a body of water that would unnecessarily expose any member to any danger or hazard, or require the member to wade or swim.

510.3 Procedures

A. General - Most water related incidents do not require an immediate water entry, except to rescue a drowning victim. A member that attempts to perform a water rescue should perform the following:

1. Notify their supervisor and Communications Center immediately about their intentions and point of entry.
2. Survey the scene for any hazards.
3. Utilize some type of safety devise to throw to the victim such as a rope, spare tire, back seat, etc. to avoid performing a self-rescue.

B. Hazards to Consider - An officer, DBS II, or civilian personnel should avoid a self-water rescue when possible due to the following hazards:

1. A panic victim has the capability to drown the rescuer.
2. Wild life, alligators, snakes, etc.
3. Overhead environments.
4. Contaminates, gas, oil, transmission fluid, etc.
5. Zero visibility.
6. Entanglement Issues, weeds, lines, etc.
7. Bottom Composition, thick silt, broken glass, etc.

C. Rescue Procedures - A member who deems it necessary to attempt to perform a self-water rescue will do the following:

1. Immediately notify the supervisor and Communications Center about their intentions.
2. Survey the scene for any hazards.

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3. Remove duty belt prior to entering the water.
 4. If available, deploy a flotation devise before entering the water.
- D. Requirements** - Except if the officer is performing a water rescue, members are responsible for the following.
1. Immediately notifying the supervisor about the incident.
 2. Notify the Communications Center.
 3. Scene security.
 4. Survey the scene for hazards and provide this information to the URT members ASAP.
- E. URT Call Out** - On-duty commander will determine if the incident requires a URT response to the scene.

510.4 URT Operating Procedures - See URT Operating Manual [<OM A510>](#)

510.5 Watercrafts

- A. Purpose** - It is the purpose of this section to provide guidelines to develop and maintain safe, effective, and efficient watercraft. Members authorized to operate the watercraft will be properly trained, equipped, and proficient in the safe use and care of the vessel.
- B. Authorized Members** - Only those members who have been selected and approved by the USD Commander, or designee, will be authorized to operate the watercrafts. The authorized member must successfully complete a Department approved training program for the specific watercraft before the member is operational with the watercraft. The USD Commander or designee will maintain a list of authorized and trained Watercraft operators.
- C. Operational Objectives** - The Department's URT utilizes watercraft to perform the following duties:
1. Enforce applicable regulatory laws, statutes, and ordinances related to boating and marine safety.
 2. Enforce all criminal laws, statutes, and ordinances.
 3. Protect the lives and property of citizens utilizing the City's waterways.

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D. Instructions, Conditions and Limitations of Usage - URT members may perform special duties and activities outside their normal task of patrolling the waterways, which include the following:

1. Assist city departments in performing marine related functions.
2. Assist other police and governmental agencies.
3. Serve as a liaison between the Department and other local, state, and federal agencies on marine issues.
4. Pursuits by Department watercrafts of fleeing watercrafts will follow applicable provisions of the department vehicle pursuit [<GO 214>](#).

E. Usage Authorization - Members assigned to URT are authorized to use watercraft in the performance of their general duties as listed in 501(A) above.

F. Qualifications and Training for Authorized Members

1. URT members are selected based on the qualifications listed in [<OM A510>](#).
2. URT members will be allowed to operate the watercraft only after the successful completion of the vessel operations and maintenance training.
3. The URT Supervisor, or designee, will schedule and provide the training.

G. Member(s) Responsible for the Vessel's Maintenance and Condition - Normal repairs and maintenance required on the Watercraft:

1. Since watercraft is on loan as part of the Law Enforcement Loaner Program, the dealer leasing the Watercraft or the manufacturing company will complete all maintenance and repairs on the vessel.
2. No repairs or maintenance on the watercraft will be completed without first obtaining permission from the URT Supervisor.
3. URT members will schedule routine and preventative maintenance with the dealer or manufacturing company.

H. Equipment - Equipment required when operating the watercraft. [<URT Equipment Form>](#)

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1. URT Members will ensure that the watercraft is maintained in proper working order.
2. The use of the following Coast Guard approved safety equipment is mandatory when operating the watercraft. All equipment will be maintained in proper working condition.
 - a. Life-Vest.
 - b. Whistle.
 - c. Fire Extinguisher.
 - d. Kill Switch worn by operator.
 - e. Trailer.
3. All equipment will be maintained in proper working condition.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Special Events		Order No: 511
Rescinds: GO 511 Revised: 04/09/15	CFA 5th: 17.03, 17.09	Revised: 05/04/16
Reference:		
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511 Policy

- A.** Special Events occurring in the City often times require planning and resources from the Department in regards to traffic control, crowd control, security functions, control criminal activity and/or dignitary protection functions. It is the policy of the Agency to assist other City Departments, public and private organizations and other local, state and federal governmental agencies in a mutual effort to make these special events as safe and successful as possible.
- B.** Special event planning and operations will be conducted at the direction of the Special Operations Division Commander or designee who will assign a Special Events Coordinator.
- C.** The Special Events Coordinator is responsible for pre-planning the event, coordination with other entities, obtaining resources and equipment, manpower scheduling and act as the Incident Commander.

511.1 Definition - Special Event is an activity that results in the need for control of traffic crowds, criminal activity, and/or dignitary protection, e.g., parades, festivals, rallies, athletic contests, public demonstrations, etc.

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511.2 Preliminary Information

A. Necessary Information - The following will be considered and documented in gathering preliminary information from which to develop operational plans:

1. Type of event, activity, and location, to include estimates of crowds, activity, traffic, and locations that will be impacted by the event.
2. History, to include past events of similar nature, problems, and participating groups.
3. Applicable statutory, city ordinance and case law.
4. Intelligence, to include any known corroborated facts that may provide information relative to potential criminal activity, or, a non-corroborated fact to be considered but not used as a basis for operational planning.
5. Weather patterns.
6. Information sources in other law enforcement and public agencies.
7. Participants may include Palm Bay Fire Rescue, Brevard County Fire Rescue, Brevard County Sheriff's Office, Melbourne Police Department, etc.

B. Information Assessment - The Special Events Coordinator is responsible for assessing the information gathered and determine what is needed in terms of manning and supplies.

511.3 Operational Planning - The following will be included in operational planning for special events:

- A. Mission Statement** - A brief statement of the task to be performed and the objectives to be achieved, to include who, what, when, where, how, and why.
- B. Synopsis** - A statement setting forth the general plan to be used to accomplish the mission.
- C. Command Structure** - An organizational chart, based on the Incident Command System model, will be prepared and will determine the chain of command for the event.
- D. Staffing** - All personnel associated with the event should be identified by name, group, location, activity, and method of contact.

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1. A concise, detailed statement setting forth the manner by which each specific group or individual will accomplish assigned tasks will be prepared.
2. The identity of and unit(s) or individual(s) not actively involved in the event, but whose duties may require their presence in and around the operations area, or who may need to be advised of the event, will be listed.
3. Any unit(s) or individual(s) designated for back up will be listed.

E. Supplies and Equipment - These requirements will be determined and documented, to include:

1. Weapons - Specialized weapons, extra ammunition, and chemical agents will be specified.
2. Clothing and protective equipment, e.g., uniforms, ballistic vest, traffic vest, gloves helmet, rain gear, flex cuffs, flashlight, and gas mask, will be specified.
3. Special equipment - Lighting equipment, cameras, audio and/or video recording equipment, binoculars, riot shields, etc., will be specified.
4. Transportation - All vehicles utilized in the operation will be identified and driver/passenger assignments specified. Specialized vehicles, e.g., communications, prisoner transport, equipment transport, will be specified.

F. Fire and Emergency Services - Arrangements will be made for deployment of fire and emergency medical equipment and personnel at or near the operational area. Evacuation procedures and routes will be noted.

G. Communications - Equipment assignments, channels, codes, call numbers, and special procedures will be specified. Assigned Communications personnel will maintain an incident log.

1. Arrangements for communication with other agencies will be coordinated by the assigned Communications Section supervisor.
2. In the event that the Command Post is activated, the Command Post Liaison will coordinate communications.

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H. Mass Arrests - Individual and mass arrest procedures will be coordinated thru the Desk Booking Specialists or BCSO prisoner intake unit.

I. Location of CP - The location of the event command post, assembly, and staging area(s) will be specified.

511.4 General Briefing

A. Briefing Directives - The Special Operations Division Commander or designee will coordinate all participants to include: Palm Bay Police members, federal agents, sheriff's deputies, etc. All personnel participating in the event will receive written directives, to include post and area maps.

B. Deployment - A general briefing will be conducted prior to deployment; unit supervisors are responsible for briefing and inspection of assigned personnel and equipment. These operational instructions will include:

1. A time schedule for all phases of the event, to include assembly/briefing, departure, on-scene, initiation of operational tasks, secure from operations, and return.
2. Sequence of deployment of units and individuals will be specified.
3. Designated routes to staging area(s), command post and operations area will be specified.
4. Perimeter, traffic detour, and hazard areas will be specified.

511.5 Rehearsal - When possible, a rehearsal to test plan feasibility, mission objective, and fitness of personnel and equipment will be conducted.

511.6 Closure and Evaluation

A. Post Event Accountability - At the conclusion of the event, all participating personnel will be accounted for, all issued equipment will be inspected and secured, and expended disposal or damaged items will be replaced.

B. Critique - Following the event, a critique involving all participants will be conducted.

C. Supervisory Attendance - Attendance by command and supervisory personnel shall be mandatory.

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- D. After Action Report** - A written evaluation of the operation will be prepared by the Special Events Coordinator and submitted to the Special Operations Division Commander. The After Action Report must also include the estimated cost for the event versus actual cost for the event (overtime and duty time). A copy of the After Action Report will be submitted to the Accreditation Unit in electronic format.

511.7 Dignitary Protection Event

- A. Department Responsibility** - The Special Operations Division Commander or designee will determine from the primary agency that is responsible for the dignitary's security what responsibilities the Agency will assume in the event.
- B. Coordination** - The Special Operations Division Commander or designee will coordinate with other Agency Unit Commanders responsible for Traffic, SWAT, etc. to arrange for participation in the protection operation.
- C. Liaison** - The Special Operations Division Commander or designee will act as liaison with the primary agency, and other entities. The agencies requested to participate may include, but are not limited to, Palm Bay Fire Rescue, Brevard County Fire Rescue, Brevard County Sheriff's Office, Melbourne Police Department, etc.

511.8 Search and Rescue Operations

- A.** Search and rescue operations require a coordinated response from police, fire departments, public works agencies, as well as outside agencies. At the initial report of a missing/endangered person, the on-duty shift supervisor will respond to the scene to assess what resources are needed to accomplish the search.
- B.** The primary officer or supervisor will assume the role of Incident Commander. The IC will establish a perimeter which will be searched by department members. If available, a canine unit should respond in addition to Palm Bay Fire Rescue to assist in the search.
- C.** The IC may request the following agencies during the course of the search to assist: Brevard County Fire Rescue, Brevard County Sheriff's Office, Brevard County Aviation Unit (STAR), the Command Post Team, Melbourne Police Department, etc.
 - 1.** If abduction is suspected, the IC will ensure that the Child Abduction Response Team (CART) is notified and requested to respond.

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2. The IC will determine the areas needed to be searched based on the circumstances at the scene, i.e. URT, ATV's, etc.
 3. Plain clothed officers who are responding to assist in the search will clearly announce themselves to the IC and have their badge clearly visible at all times and wear the issued jacket which states Police. If the plain clothed officer does not have any police identification on their person, their assistance will be at the discretion of the IC.
- D.** In the event the Fire Department aids in the search, a unified command will be established. Any available police resources will assist as necessary in the search as directed by the on-duty police commander. The remainder of the search will be conducted at the discretion of the Incident Commanders and according to OMA 502.25 C.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Bomb Incidents	Order No: 512	
Rescinds: GO 512 05/30/12 Revision	CFA 5th: 17.07	Revised: 04/13/15
Reference: GO 501, 502. OM A215		

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512.2	<u>Procedures</u>
512.3	<u>Detonation Protocol</u>

512 Policy

The Agency considers bomb threats or bomb/explosive devices as serious incidents. Officers and Communications Center personnel must handle these type calls with the utmost care and precaution. The Communications Center should not underestimate the possibility of an actual device nor the officers assigned. The potential for doing great bodily harm and severe property damage warrants extreme care in the following of established procedures. Primary concern is the safety of the public and emergency services personnel.

512.1 Definitions

- A. Suspect Ordinance** - Material suspected of having explosive, incendiary or chemical/biological potential, which includes, but is not limited to: homemade bombs (Improvised Explosive Devices), military ordnance and explosive or incendiary chemical compounds. This does **not** include small quantities of rifle/shotgun/handgun ammunition and legal commercial fireworks (i.e. firecrackers, bottle rockets and/or Class C fireworks as defined in State and Federal guidelines).
- B. Neutralize (Render Safe)** - The action performed by the Bomb Squad to prevent detonation or explosion of suspect ordnance.
- C. Hazardous Item Separation** - The separation of explosives or incendiary chemical compounds from fused and/or detonating devices.

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512.2 Procedures

A. Initial Notifications

1. 911 Communications will:

- a. When a suspect ordnance threat call is received originally by the Communications Center, the complaint operator will try to elicit as much information as possible from the call/suspect (motive, type of device, locations of device, etc.), in accordance with Communications Center procedures.
- b. When a suspect ordnance threat has been made directly to the target site, determine who received the call and the exact conversation (as close to verbatim as possible).
- c. Dispatch uniformed officers to the scene. Dispatch Fire Department to "stage" at the perimeter of the scene.
- d. Notify the sworn supervisor, who will make or direct notifications up the chain of command to include the Emergency Management Coordinator.
- e. The supervisor will evaluate the need to cordon a secure perimeter of the target area immediately or wait until a further assessment is conducted.
- f. If the supervisor decides that an evacuation of the incident location is warranted prior to the locating of any suspicious object, the same guidelines will be used as listed in **<GO512(b2a)>**.
- g. If requested or needed at the scene, notify the BCSO Bomb Squad to respond to the scene. If BCSO is not available, notify the PAFB Bomb Squad.
- h. Relay information from the on-scene officer or sworn supervisor, whoever is on-scene, to the Bomb Squad.

B. Initial Response

1. On-Scene Officers

- a. Upon arrival, all radio/cellular phone equipped units will refrain from using radio/cellular transmitter equipment within 500 yards of the response location. **Mobile data terminals must be shut down or kept 500 yards away as they transmit without prompting from**

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the user. All cell phones will be turned off. All communications made to or from the incident location will be done through a hardwired telephone line only.

- b. Attempt to locate the person who received the threat, verify the original information, and obtain all additional pertinent information, if available. The officer should also attempt to locate and identify any other witnesses to the incident.
- c. BCSO Bomb Squad will be called out using a land line phone to respond to bomb threats to schools or government buildings and to threats or otherwise suspicious incidents in which an explosive device is expected to be attached to a vehicle. The Bomb Squad may also arrange for necessary bomb detection canine assistance.
- d. Members will advise owners and/or managers of private businesses of potential hazards; however, the decision to close businesses or to evacuate personnel will be left to business owners or managers unless otherwise directed by a higher authority.
- e. If a search is to be made, the officer will advise the owner and/or manager to use the assistance of personnel familiar with the premises. No search will be conducted 30 minutes prior to or 30 minutes after the reported/threatened time of detonation.
 - The Palm Bay Police Department does not have a dedicated bomb squad. For any bomb threats, the supervisor will contact the Brevard County Sheriff's Office to have their bomb squad respond to the scene. Any equipment, i.e., mirrors, lights, etc., will be maintained and controlled by that specific agency.
 - If BCSO's bomb squad is not available, the supervisor will have dispatch make contact via landline to the Patrick Air Force Base or the Orange County Sheriff's Office to request their team to respond.
- f. **Organization of Search Team** - The on-duty supervisor will establish a search team as needed. If available, a bomb certified canine should be a part of the team.
- g. **Search Procedures** - The on-duty supervisor will make the determination if any search will occur. If the supervisor decides to have a search of the building conducted, he/she will establish a security perimeter around the building. The following procedures will be followed as a guideline for the search of the incident location:

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- Contact should be made with the owner or representative of the business, if available, as they will be more knowledgeable of the layout and what belongs in the incident location. The supervisor may request the owner or representative to assist in the building search.
 - Attempts will be made to obtain a floor plan of the building so the layout is known prior to the start of the search.
 - Any areas accessible to the public will be given special attention, i.e., restrooms, stairwells, etc.
 - All members of the search team will be instructed not to disturb any item that they may locate. The members will also be instructed not to toggle any switches, i.e., turning lights off and on, adjusting the thermostat, etc.
 - If a suspicious object is located, the search team will alert the supervisor of the location and shape of the object. No member will handle the suspicious item in any manner. The supervisor will alert the Bomb Squad of the information.
 - If no suspicious object is located after a complete search of the incident location and a reasonable amount of time has passed, the owner or agent of the property may make the decision to return to the incident location.
- h. If a threat is made to a school or school facility, notification of the incident will be made to the school principal, school board administration, and the assigned School Resource Officer, if one is assigned to the school.**
- 2. If a device is located on or near the premises, the officer will:**
- a. Immediately advise the owner/manager and order an evacuation of the building in an orderly manner, to a minimum distance of 100 yards and if possible evacuate around the area for a distance of 300 yards. The evacuation site should be a safe area that has been searched for a secondary device. The minimum evacuation distance may vary based on the potential hazard of the device. Parking lots should be avoided where there is a possibility of a bomb in a vehicle. All personnel will be evacuated to this area, including the media if they are on scene.**
 - b. Seek a safe place from which to protect the scene.**

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- c. Avoid physical contact with, close examination of, or movement of suspect ordnance. **Do not touch the device.** This restriction will apply to all Police Department personnel except members of the Bomb Squad.
 - d. Advise the Communication Center via landline telephone that the BCSO Bomb Squad will be needed on the scene and notify the patrol supervisor of the request. If the BCSO Bomb Squad is unavailable, contact will be made with the Orange County Sheriff's Office or Patrick Air Force Base to ascertain their availability to respond.
 - e. The on-call Criminal Investigator will be contacted and briefed on the nature of the call and they will respond and notify the on-call Crime Scene Tech who will also respond.
 - f. Provide the Communications Center with information on the situation/device including the incident risk potential, which may be established as follows:
 - No immediate hazard to persons or property (e.g. suspect ordnance located on vacant property at a safe distance from persons, animals, or structures).
 - No immediate hazard to persons, however, potential hazard exists to structures or other personal property (e.g., suspect ordnance located in or near a structure or vehicle with persons a safe distance away).
 - The potential hazard to human life (i.e., suspect ordnance located in populated area or in a building that cannot be evacuated).
 - g. The officer in charge will coordinate with Fire Department personnel to assist in their response and staging.
- C. Chemical/Biological Incidents** - If the suspect ordnance is possibly a chemical/biological compound (such as a letter mailed full of powder with a note saying it is anthrax), additional considerations to the above actions should be followed.
1. Initiate BCSO Bomb Squad and HAZMAT upon notification of the chemical/biological threat.
 2. Cordon area of building and shut down air conditioning.

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3. Isolate potentially contaminated individuals including original responding officer(s).

512.3 Detonation Protocol - In the event a device detonates, other than BCSO conducting a controlled detonation, the on-duty commander will institute the Incident Command System [<OM A215>](#) in order to control and most efficiently deal with the incident. The following is an immediate scene control protocol:

- A. Cordon and Care** - The scene of the explosion needs to be quickly assessed, control reasonably established and emergency medical assistance provided to the injured. There is a potential for a **secondary device** and reasonable precautions will be taken to protect the public and emergency service personnel from additional explosions. Emergency medical service personnel will remove injured persons from the detonation scene as soon as possible. All non-essential personnel will remain outside the detonation area in consideration of a secondary device.
- B. Notifications Required** - Dispatch will ensure notification of the Command Staff, CID, Bomb Disposal Personnel, ATF, FDLE Forensic Specialists and the FBI.
- C.** Bomb disposal personnel will search the entire scene and give an all clear that no secondary devices have been found. Only after the search will personnel be allowed in the scene to continue the investigation.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Homeless Persons	Order No: 514	
Rescinds: GO 514 Revised: 09/07/16	CFA 5th:	Revised: 06/06/18
Reference: <u>Pottinger v. City of Miami, 810 F. Supp. 1551 (S.D. Fla 1992)</u>, GO 701, OMA 701		

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514.2	<u>General Authority</u>
514.3	<u>Homeless Persons Property</u>

514 Policy

The Agency will enforce the laws that protect our community while demonstrating that the Agency is sensitive to the needs and rights of the homeless population. This directive is based upon Pottinger v. City of Miami, 810 F. Supp. 1551 (S.D. Fla. 1992), which resulted in a settlement agreement between plaintiffs and the City of Miami.

514.1 Definitions

A. Homeless Person - An individual who lacks a fixed, regular, and adequate night-time residence or has a primary night-time residence that is:

1. A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;
2. An institution that provides a temporary residence for individuals intended to be institutionalized; or
3. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

B. Public Property - All property owned by any government entity, federal, state, or local, except for property that has become subject to a leasehold

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interest, management agreement, or other possessory interest of a non-government lessee, licensee, or manager, and is operated as a private business. A public park will always constitute public property within the meaning of this definition.

C. Exempt Public Property - The following are “exempt public properties”:

1. Palm Bay City Hall
2. Any Palm Bay Fire Stations
3. Palm Bay Police Department
4. Any Public Library
5. All other municipal complexes

D. Life Sustaining Conduct Misdemeanor/Ordinance Violation - Those acts that a homeless individual commits by the mere fact that he/she is without shelter and must conduct life-sustaining activities, i.e., sleeping, sitting, congregating in public, bathing, relieving one’s self. Examples:

1. Being in Park After Hours
2. Littering (Human waste only; this does not include food wrappers, beer cans, etc.) [FSS 403.413](#)
3. Trespass on Public Property [FSS 810.09\(1\)](#)
4. Exposure of Sexual Organs (when bathing for example) [FSS 800.03](#)
5. Disorderly Conduct (if the homeless person is relieving himself/herself and there are no public restrooms available or open) [FSS 877.03](#)

514.2 General Authority

- A.** A law enforcement officer always has the right to approach any individual, including a homeless person, to alleviate any suspicions that the officer may have about the individual and determine that no criminal activity is occurring.
1. Officers are allowed to make reasonable inquiries to determine if a person is homeless. When an officer encounters a person who they deem to be homeless, a Signal 55H CFS will be stamped by the Communications Center.

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2. A homeless person's presence in the interior of an "exempt public property" is not a trespass within the meaning of "life-sustaining conduct misdemeanors" where the homeless person's activities are reasonably related to the government activities normally performed at these facilities.
3. When an officer encounters a homeless person who he/she reasonably believes meets the criteria for "involuntary examination" (i.e., Baker Act), the officer will follow the Agency's directives regarding Baker Acts and Marchman Acts.
4. If the homeless person is a sexual offender/predator, the member will notify SVU to ensure there are no violations of law (registration, within the area of a school, etc). The member will take a photograph of the sexual offender and submit it to the Sex Offender folder on the K drive.

B. Life Sustaining Conduct Misdemeanor/Ordinance Violations

1. When an officer encounters a homeless person committing a life-sustaining misdemeanor/ordinance violation on public property, the officer will not arrest that person committing the life-sustaining misdemeanor ordinance/violation.
2. The officer will advise the homeless person that services are available (CITA, Daily Bread, etc.). Members may transport the person if supervisor approval is given. If the member is unable to provide the transport, they will arrange for it when possible.
3. The officer will run a warrants check on the subject documenting the facts of the incident if warranted in the CFS. The member should also consider placing the information the patrol log for future contacts.
4. The commission of a "life sustaining misdemeanor/ordinance violation" by a homeless person does not prevent any officer from making an immediate arrest under [FSS 800.04](#) for "lewd, lascivious or indecent assault or act upon or in the presence of a child," if probable cause exists.

C. Procedures for all other Violations of Law

1. Officers encountering homeless person(s) committing misdemeanor(s) or ordinance violation(s) that are not deemed to be life sustaining may arrest the homeless person(s) if there is probable cause.

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2. The following are examples of misdemeanor/ordinance violations that are not classified as life sustaining:
 - a. Disorderly Conduct, [FSS 877.03](#) (unless the homeless person is relieving himself/herself and there are no available or open public restrooms, in which case the act is a "life-sustaining violation").
 - b. Possession/Consumption of Alcohol/Open Containers
 - c. Loitering & Prowling [FSS 856.021](#)
 - d. Trespass on Private Property [FSS 810.08\(1\)](#)
3. Officers with probable cause to believe that a homeless person has committed or is committing a felony should follow the standard arrest procedures.

514.3 Homeless Persons Property

- A. Officers will respect the personal property of all homeless persons. This includes tents, backpacks, etc. Officers will follow existing policies for taking custody of personal property. Furthermore:
 1. Officers will not destroy any personal property known to belong to a homeless person or readily identifiable as property of a homeless person unless it is contaminated or otherwise poses a health hazard to an officer or to members of the public. This includes ripping tents, sleeping bags, or other items which is considered criminal mischief.
 2. Officers are not responsible for taking custody of mattresses.
 3. The disposition of personal property will never prevent an officer from affecting an arrest.
 4. Officers should undertake the following safeguards to preserve the personal property of the homeless person to the extent feasible:
 - a. Always attempt to secure personal items, such as identification, medicines, eyeglasses and other small items of importance identified by the homeless person, in accordance with the Agency's existing General Order 701 and OMA 701.

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- b. Ensure that large or bulky items are not abandoned at the point of arrest if they are not contaminated or otherwise pose a health hazard to the officer or members of the public.
 - c. Bulky items, such as numerous articles of clothing, may be listed on the property report as miscellaneous clothes.
- 5. The homeless person must sign the property report, documenting the miscellaneous clothes and/or property, to eliminate the possibility of a discrepancy when the property is retrieved.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: small Unmanned Aircraft System Program	Order No: 515	
Rescinds: GO 515 New 06/11/18	CFA 5th: 32.03	Revised: 11/21/18
Reference:		
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515 Purpose

This policy is intended to provide personnel who are assigned responsibilities associated with the deployment and use of Unmanned Aircraft Systems (UAS) with instructions on when and how this technology and the information it provides may be used for law enforcement and public safety purposes in accordance with FS 934.50 and 14 CFR Part 107.

515.1 Scope

Officers and members assigned to the operation of and participation in the Department's sUAS program will operate the sUAS within the guidelines of Florida State Statute 934.50 and FAA Small Unmanned Aircraft Regulations (14CFR Part 107).

515.2 Privacy

The use of the sUAS potentially involves privacy considerations. Absent a warrant, exigent circumstances or reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent danger to life, to forestall

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the imminent escape of a suspect or the destruction of evidence, or to assist with the search for a missing person, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure).

515.3 Program Coordinator Responsibilities

- A.** The program coordinator will ensure policies and procedures conform to current laws, regulations and best practices.
- B.** Ensure authorized operators have completed all required Department approved training in the operation, applicable laws, policies and procedures regarding use of the sUAS.
- C.** Develop uniform protocol to deploy a sUAS, including urgent requests made during ongoing or emerging incidents. Deployment of a sUAS shall require approval of the Watch Commander or the shift supervisor, depending on the type of mission. The pilot in command (PIC) will assume all responsibilities for flying the sUAS.
- D.** Develop an operational protocol governing the deployment and operation of a sUAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- E.** Develop a protocol for fully documenting all missions.
- F.** Develop a sUAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a sUAS, up to and including its overhaul or life limits.
 - a. The sUAS is to be maintained and flight ready according to the manufacturer's recommendations and related industry standards.
 - b. Prior to any mission authorized operators will inspect the sUAS to ensure it is airworthy.
- G.** Develop protocols to ensure all data intended to be used as evidence is accessed, maintained, stored and retrieved in a manner ensuring its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to

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ensure the authenticity and maintenance of a secure evidentiary chain of custody.

- H. Develop protocols ensuring retention and purge periods are maintained in accordance with established records retention schedules.
- I. Facilitate law enforcement access to images and data captured by the sUAS.
- J. Recommend program enhancements, particularly regarding safety and information security.
- K. Ensure established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

515.4 Flight Operation

- A. Only authorized operators shall be permitted to operate the sUAS. Prior to any flight, the pilot shall perform a pre-flight check following the approved checklist. Prior to any flight, a second officer must be at the location of the pilot to offer any assistance as well as ensuring scene safety. The second officer is not required to be an authorized operator.
- B. The pilot must maintain a visual line-of-sight on the sUAS at all times and will not operate directly over any persons not involved in the mission or call for service. The only exception to this is if there is a Certificate of Authorization from the FAA which grants permission to deviate from the rules.
- C. The pilot must yield the right-of-way to other manned or unmanned aircraft and pilots will not operate the sUAS in a careless or reckless manner.
- D. The sUAS will not operate at an altitude higher than 400 feet above ground level (AGL) per FAA guidelines.
- E. sUAS operations may be conducted during daylight and nighttime hours with appropriate Certificate of Authorization from the FAA. Authorized operators must be familiar with emergency\contingency procedures including sUAS system failure, flight termination, divert, and lost link procedures.
- F. The pilots may operate in Class B, C, D and E airspace with appropriate Certificate of Authorization from the FAA but are required to contact the local air traffic control (ATC) prior to doing so.

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- G.** The sUAS operator will activate the record mode on the sUAS's camera when flying during an official mission. The record mode will be turned off when the craft has landed. All video and images recorded on an official mission will be entered into evidence pursuant to Department policies. The record mode may be used for training flights for evaluation by the instructor after the training exercise.
- H.** The sUAS operator will complete the post flight inspection and flight logs after each mission.

515.5 Training - Prior to using a sUAS, agency members must complete the following:

- A.** Attend the 16 hour drone pilot training course.
- B.** Pass the FAA small Unmanned Aircraft System test if the member wants to be a remote pilot in charge. (Unless exempt from taking the test). If the member will be operating under a PIC, they will only be required to attend the Agency course.
- C.** Complete five hours of practical flight time at the controls of an agency UAS, supervised by an authorized agency UAS pilot.
 - 1.** Agency members holding a FAA Airman Certificate are exempt from having to take the sUAS test. These members must still obtain the FAA small Unmanned Aircraft System rating.
 - 2.** Members obtaining the sUAS rating without taking the test shall still be required to attend the agency 16 hour UAS pilot training course and complete the flight time requirement before being authorized to fly an agency UAS for an official mission.

515.6 Authorized Uses -The use of a sUAS is authorized only for training missions, emergency situations and exigent circumstances following specific criteria in compliance with Florida Statue 934.50. sUAS's may be deployed under the following criteria:

- A.** To conduct search and rescue operations of missing persons.
- B.** To forestall the imminent escape of suspects.
- C.** To aid or assist in other life safety operations.

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- D. Serious damage to property
- E. To forestall the imminent destruction of evidence
- F. For Department approved training missions.
- G. To conduct traffic, aerial mapping and other surveys.
- H. To collect evidence with a signed search warrant specifically indicating use of the sUAS is approved.

515.7 Prohibited Use - The sUAS shall not be used:

- A. When other manned aircraft are operating in the immediate area.
- B. In contradiction to the manufacturer's specifications or instructions.
- C. In situations where there may be an increased risk of injury to others in the operational area.
- D. To conduct personal business of any type.

515.8 Documentation and Retention of sUAS data

- A. Flight Documentation - The sUAS operator will complete all Department flight documentation including pertinent information about the aircraft, flight conditions, type of mission, and mission parameters. Monthly reports containing the above information or indication of no flights occurring during the month will be submitted to the Program Coordinator.
- B. Digital media (videos/still images) captured by the sUAS will be retained by the Department according to the classification of the incident's retention schedule set by the State of Florida.
- C. The pilot is required to initiate a separate "Call for Service" (S15DRONE) whenever he utilizes the sUAS during an operation. The pilot will document the scope of the operation within the call for service. Training exercises are not considered to be utilizations.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Sexting	Order No: GO516	
Rescinds: None	CFA 5th:	New: 05/10/16
Reference: FSS 847.0141		

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101 Purpose

The purpose of this policy is to establish uniform guidelines for the response to incidents involving a violation of the sexting law.

101.1 Policy

It is the policy of the Palm Bay Police Department to establish a set of guidelines for the investigation of allegations involving the sending, receiving or possession or photographs or videos constituting “nudity” that is harmful to minors..

101.2 Definitions

- A. Adult** - A person 18 years of age or older.
- B. Child pornography** - Any image depicting a minor engaged in sexual conduct.
- C. Harmful to minors** - Any reproduction, imitation, characterization, description, exhibition, presentation or representation of whatever kind or form depicting nudity, sexual conduct or sexual excitement when it:
 - 1. Predominantly appeals to a prurient, shameful or morbid interest;

2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors; and
3. Taken as a whole, is without serious literary, artistic, political or scientific value for minors.

D. Minor - Any person under the age of 18 years.

E. Nudity - The showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering; or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernably turgid state.

F. Sexting - Use of a computer or any other device capable of electronic data transmission or distribution to transmit or distribute to another minor (from a minor) any photograph or video of any person which depicts nudity as defined in FSS 847.001(9), and is harmful to minors as defined in FSS 847.001(6); or possesses a photograph or video of any person that was transmitted or distributed by another minor which depicts nudity and is harmful to minors.

G. Sexual conduct - Actual or simulated sexual intercourse, deviate sexual intercourse, masturbation, sexual bestiality or sadomasochistic abuse; actual lewd exhibition of the genitals; actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or if such a person is a female, breast with intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or intimates that sexual battery is being or will be committed.

H. Sexual excitement – The condition of the human male or female genitals when it is in a state of sexual stimulation or arousal.

NOTE: A mother's breastfeeding of her baby is not, under any circumstance considered to be "harmful to minors", does not constitute "sexual conduct", and does not constitute "nudity", regardless of whether or not the nipple is covered during or incidental to feeding.

101.3 Procedures

A. Sexting Investigations

1. When investigating allegations of sexting, the investigating officer(s) shall complete an incident report and document all the facts of the case. The officer shall identify which section of the statute was violated:

- a. Knowingly using a computer or any device capable of electronic data transmission or distribution to transmit or distribute to another minor any photograph or video of any person which depicts nudity and is harmful to minors.
 - b. Knowingly possessing a photograph or video of any person that was transmitted or distributed by another minor which depicts nudity and is harmful to minors.
2. Determine the age of all parties involved. If the sender or receiver is an adult, notify the Special Victims Unit (SVU) to assume the investigation. If all parties are minors, the officer may continue with the investigation.
3. Obtain a written consent to search from the parent or legal guardian to look at the device. At this point, do not impound or seize the phone or electronic device.
4. Determine if the photo is a depiction which constitutes a sexting violation or whether it constitutes a violation of child pornography. If the photo(s) depicts child pornography, the officer shall notify SVU to assume the investigation.
5. If the photo is a depiction which constitutes a sexting violation, the officer should document the pictures with an Agency issued digital camera and save as evidence. Due to the ages of the victims and suspects in these cases, personal devices **WILL NOT** be used to obtain copies of these pictures and all pictures/information shall be handled with the utmost confidentiality.
6. Determine the date/time of the transmission or distribution of the photographs or videos. The transmission, distribution or possession of multiple photographs or video, which constitutes a sexting violation, which were transmitted or distributed within the same 24 hour period, is a single offense.
 - a. If the offender has not been issued a Sexting Civil Citation previously but has numerous instances of "sexting" on several dates, only the Sexting Civil Citation should be issued. All of the dates and pertinent information pertaining to this incident should be noted in the report.
 - b. If there are numerous instances of "sexting" on different dates and it is found the offender has previously been issued a Sexting Civil Citation, an arrest should be effected for a 1st degree misdemeanor. (See #8)

7. If possible, obtain a written/recorded statement from all parties in accordance with the applicable Florida State Statutes.
8. Determine whether or not the suspect(s) has ever been charged with a sexting violation. This can be accomplished through a search of the Brevard County Clerk of Courts website or eFacts.
 - a. If records indicate that this incident constitutes a first offense by the suspect(s), the officer shall complete a Juvenile Sexting Citation, which is a *noncriminal violation*.
 - b. If records indicate that this incident constitutes a second offense (prior conviction) by the suspect(s), the officer shall complete a 923.01 for a first degree misdemeanor.
 - c. If records indicate that this incident constitutes a third offense (two prior convictions) by the suspect(s), the officer shall complete a 923.01 for a third degree felony.
9. An email notification shall be sent to the SVU supervisor with the DR# and a brief description of the events.
10. A copy of the Sexting Civil Citation will be turned in to records before the end of shift with the original report in HTE.

B. Charging exemptions for possession only (all must apply)

1. The minor did not solicit the photograph or video; and
2. The minor took reasonable steps to report the photograph or video to the minor's legal guardian or to a school or law enforcement official; and
3. The minor did not transmit or distribute the photograph or video to a third party.

C. Release procedures

1. Prior to releasing a minor with a Juvenile Sexting Citation, the investigating officer will make contact with the parent or legal guardian.
2. If the parent or legal guardian is not able to respond to take custody of the minor, the officer shall indicate in the narrative of the report that telephone contact was made with the parent or legal guardian. The officer must still complete the parent or legal guardian contact on the Juvenile Sexting Citation.

- a.** For minors under the age of 16, officers should exhaust all measures to release the minor to a parent or legal guardian and identify these efforts in their case report.
- 3.** If the minor is released to a parent or legal guardian, the officer shall indicate in the narrative of the report to whom and where the juvenile was released.
- 4.** The Juvenile Sexting Citation should be completed in its entirety including all contact/ID information as well as the right thumb print for the suspect.
- 5.** In all cases, the officer should make certain that the parent or legal guardian is aware of the charge(s) and the requirements to contact the Clerk of Court and satisfy the penalty requirements within thirty (30) days of receiving the citation. The parent should place their initials in the corresponding places indicating they understand the process for the handling of the Juvenile Sexting Citation.
- 6.** For minors who are being criminally charged in accordance with this statute, the officer shall release those subjects after completing a 923.01 AND ensuring they meet the Agency ROR requirements.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: City Council Chamber Security	Order No: 517	
Rescinds: None	CFA 5th	Created: 08/10/18

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517 Policy - It shall be the policy of the Palm Bay Police Department to maximize site security of the Palm Bay City Council Chambers through the screening of all unbadged visitors to the Council Chambers through the use of a magnetometer and/or hand-held metal detectors, as a “first line defense” to the location and its occupants.

517.1 Purpose- To establish professional, effective and comprehensive security of the City Council Chambers through a “first line of defense”.

517.2 Definitions

A. Security Screener - Police Officers designated by the Palm Bay Police Department to operate facility-based security screening equipment.

B. Magnetometers – An electronic instrument an individual walks through which allows the operator to detect metal objects being carried.

C. Hand-Held Metal Detector – A hand-held device used to detect metal objects.

517.3 Procedures

A. All persons entering the City Council Chambers are subject to an inspection. The following persons may be permitted to bypass the security screening process:

- a.** City Council Members, and City Employees with proper identification issued by their respective organization and are entering the Council Chambers on official business.

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- b.** Uniformed law enforcement officers or Fire Department personnel, who are entering the Council Chambers on official business after presenting agency issued photographic identification.
 - c.** Plainclothes law enforcement officers who are entering the council Chambers on official business, and have presented their agency issued law enforcement identification, and proper photographic identification.
- B.** Individuals confined to a wheelchair, wearing a pacemaker, or other similar medical device, may bypass the magnetometer, but will be required to be scanned with a hand-held metal detector and/or physical pat down inspection.
- C.** Prior to passing through the magnetometer, all items of personal property, i.e. purses, brief cases, bags, etc., shall be inspected.
- D.** Persons setting off the magnetometer will be directed to stop immediately and re-enter the scanning equipment. They will be re-checked for any items that may have been forgotten. The individual shall pass through the magnetometer again, if the magnetometer alerts the security screener again, a hand-held metal detector and/or a pat down search, shall be utilized to identify any unauthorized items potentially being introduced into the facility.
- E.** Any person who exits the Council Chambers shall be re-scanned upon re-entry, without exception.
- F.** If the security screener identifies or perceives a concealed weapon is present, they shall immediately take steps to secure the weapon, notify Communications for backup as necessary, and an Offense Report must be completed.
- G.** Persons found in legal possession of weapons or firearms shall be instructed to remove the weapon from the facility.
- H.** If an arrest is made a road Officer shall be notified to take over the arrest. The on-duty Watch Commander will be notified immediately.
- I.** If for any reason a problem occurs, with any of the security equipment, the on-duty Palm Bay Police Watch Commander shall be notified immediately of the failure. Until equipment can be fixed, the security screener shall use all means at their disposal to maintain security, i.e., hand wands, searches, etc. The Support Services Commander will be notified of the equipment failure and will take action to ensure repair or replacement.

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- J.** At no time will a security screener advise the whereabouts of a Council Member or render personal information about any Council Member. They shall be directed to the City Clerk for assistance.
- K.** No items will be stored or held for safe keeping by security screeners.
- L.** The Watch Commander will prepare a report for the Chief's office of any incidents occurring at the security screening post for Council Chambers, to include a copy of any reports generated and/or a copy of any radio and video recordings.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Cannabis Civil Citation	Order No: GO518	
Rescinds: None	CFA 5th:	New: 08/20/19
Reference: FSS 381.986 , FSS 893.13(6)(b) , FSS 893.146 , FSS 893.147(1)(b) GO518.3(A) , GO302.57(B) , Cannabis Civil Citation Form , GO411.2		

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518 Purpose

The purpose of this policy is to establish uniform guidelines for the Cannabis Civil Citation program.

518.1 Policy

It is the policy of the Palm Bay Police Department to establish a set of guidelines for the issuance of civil citations for cannabis possession of less than twenty (20) grams and drug paraphernalia as an alternative to arrest for a misdemeanor offense.

518.2 Definitions

A. Adult - A person 18 years of age or older.

B. Cannabis - All parts of any plant of the genus Cannabis, whether growing or not or the seeds thereof. The term does not include "low-THC cannabis," as defined in [FSS 381.986](#), if manufactured, possessed, sold, purchased, delivered, distributed, or dispensed in conformance with that section. "Cannabis" also does not include the resin extracted from the plants of the

genus Cannabis, or any compound manufacture, salt, derivative, mixture, or preparation of such resin.

- C. Notice of Violation** - A notification by a law enforcement officer of the initiation of a civil penalty against an individual for an alleged violation of possession of twenty (20) grams or less of cannabis or possession of drug paraphernalia.
- D. Program Manager** –The Police Department Project Specialist is the point of contact for the Cannabis Civil Citation Program
- E. Magistrate Coordinator** – The Project Specialist or designee who will coordinate with the City Attorney’s Office for the Administrative Hearings with the Special Magistrate.
- F. Special Magistrate** - An attorney designated by the City Attorney to conduct hearings related to a notice of violation issued for possession of twenty (20) grams or less of cannabis or possession of drug paraphernalia.
- G. S.T.E.P.S. Inc., of Brevard County** – Outpatient treatment program at the Specialized Treatment, Education and Prevention Services, Inc., of Brevard County.
- H. Habitat for Humanity of Brevard** – is a nonprofit organization, with the help of volunteers, that helps families build and improve places to call home.

518.3 Eligibility

- A.** The following misdemeanors under State law are eligible to receive a civil violation notice, at the discretion of a law enforcement officer:
 - 1. Possession of twenty (20) grams or less of cannabis, as outlined in section [893.13\(6\)\(b\)](#) of the Florida Statutes, as such may be amended from time to time; and/or
 - 2. Possession of drug paraphernalia, as outlined in section [893.146](#) and [893.147\(1\)\(b\)](#) of the Florida Statutes, as such may be amended from time to time.
- B. Qualifications.** A law enforcement officer shall have the discretion to issue a civil violation notice under this section in lieu of a state misdemeanor charge for the offense, subject to the following limitations:
 - 1. The violator is an adult;
 - 2. Such violations are not charged in conjunction with any charge that is a felony, driving under the influence, incidents involving domestic violence, or violent crime, as those terms are defined under State law,

3. No person may receive more than three civil violation notices under this section; and
4. The violator will be disqualified from the program if they fail to comply with any terms of the citation (i.e. completion of elected community service hours, paid fines and/or completion of the STEPS program).

518.4 Penalties

A. An individual issued a civil violation under this section is subject to the following penalties:

1. For the first violation, the violator shall pay \$150.00 **OR** elect to perform fifteen (15) hours of community service to be performed at the Habitat for Humanity of Brevard County within (20) calendar days of election.
2. For the second violation, the violator shall pay \$300.00 **OR** elect to perform thirty (30) hours of community service to be performed at the Habitat for Humanity of Brevard County within (40) calendar days of election.
3. For the third violation, the violator shall pay \$500.00 **AND** attend an outpatient treatment program at STEPS Inc., of Brevard County. The \$350.00 program fee charged by STEPS Inc., shall be deducted from the \$500.00 paid to the City of Palm Bay.

518.5 Responsibilities

A. Issuance of Citation

1. If the officer decides to utilize the civil citation for the eligible misdemeanor charges listed above in [GO518.3\(A\)](#) the officer will follow the procedures in [GO302.57\(B\)](#) to verify that the violator meets the eligibility requirements and that they are not flagged in the civil citation system as being disqualified from participating in the citation program.
2. If the violator is eligible, the officer will complete the [Cannabis Civil Citation Form](#) notating the appropriate penalty based on the number of violations the subject has had. The signed copy will go to records and the violator will receive a copy of the citation.

B. Process for Special Magistrate Hearings

1. If the violator who was issued a citation requests an administrative hearing within ten (10) business days from the day they received the

citation, the Magistrate Coordinator will work in conjunction with the City Attorney's Office to schedule the Special Magistrate.

2. Once the date is scheduled by the CAO, the Magistrate Coordinator will notify the violator and the officer who gave the citation of the hearing date no less than five (5) business days before the hearing date. Officers will follow procedures in [GO411.2](#) regarding Court and Administrative Hearing appearances.
3. The Magistrate Coordinator is responsible for the hearing agenda, recording and maintaining of minutes for the public.

C. Program Management

1. The program manager is responsible for the coordination of the civil citation program processes to include but not limited to;
 - a. Coordination between patrol and the property and evidence unit for the destruction of seized cannabis and drug paraphernalia confiscated as a result of a civil citation,
 - b. Liaison to accounts receivable,
 - c. Maintaining flagged subject list of violators who fail to pay or perform community service and are ineligible to participate in the Cannabis Civil Citation Program and
 - d. Coordination with Habitat for Humanity in Brevard County for community service hours and the S.T.E.P.S. Inc., Program.
 - e. Six (6) month program reporting cycle.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: D.U.I. Enforcement	Order No: 519	
Rescinds: GO505 Revised 4/14/18	CFA 5th:	Revised: 08/01/19
Reference: FSS 316.062, FSS 316.1933, FSS 316.1932, Florida Administrative Code (F.A.C.) 11D8, Birchfield v. North Dakota, Missouri v. McNeely, Mitchell v. Wisconsin, 316.1939(1),		
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519 Policy

Impaired driving is a nationwide issue that causes death, injury, and property damage to countless individuals every calendar year. The Agency recognizes this problem and is devoted to strict enforcement of Florida's impaired driving statutes. The Agency and its members are responsible for enforcement, training, education of the public, and prevention of this dangerous crime.

519.1 Definitions

- A. D.U.I. Driver** – A person operating any vehicle, anywhere in the State of Florida, who is under the influence (impaired) by alcoholic beverages, controlled substances, or chemical substances to the point their normal faculties are affected.
- B. Impaired** – A diminishment of a person's normal faculties in some material respect.

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- C. Normal Faculties** – A person’s ability to perform daily tasks such as the ability to see, hear, walk, talk, judge distances, drive a vehicle, make decisions and judgements, act in emergencies, and perform the basic everyday mental and physical tasks of a person’s life.
- D. Actual Physical Control (A.P.C.)** – Being physically inside a vehicle and having the capability of operating the vehicle. In the case of a motorcycle, bicycle, or similar vehicle; the person must be on the vehicle and have the capability of operating the vehicle.

519.2 Encountering D.U.I. Drivers

- A.** There are many situations that may result in a member encountering a D.U.I. driver. Some examples include, but are not limited to, the following.
 - 1. Traffic Stops
 - 2. Traffic Crashes
 - 3. Calls for Service
 - 4. Suspicious Vehicles
 - 5. Consensual Interactions or Encounters
- B.** When a member of the Agency encounters a potential D.U.I. driver, the member(s) will be responsible for investigating whether the driver is impaired, making a custodial arrest if there is probable cause, submitting a capias request in certain crash cases, or obtaining an arrest warrant in certain felony crash cases.
- C.** If after a D.U.I. investigation is conducted, the investigating member determines there is no impairment present, the member should issue any applicable citations or warnings and release the driver. If the member observes some symptoms of impairment but does not believe there is sufficient probable cause for an arrest; the member should suggest that the driver obtain another method of transportation from the scene such as a ride sharing service, a taxi cab, a friend or relative, or a sober and valid passenger to operate their vehicle from the scene.
- D.** Nothing prohibits a member who has stopped or encountered a possible D.U.I. driver to request another member who specializes in D.U.I. enforcement to conduct the investigation, such as a certified Drug Recognition Expert. If no D.R.E. is available, the member who has encountered the D.U.I. driver will be responsible for conducting the investigation.

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- E. In no event will a member allow a person who is believed or suspected to be impaired to drive from the scene after law enforcement contact, absent after an investigation and the person is deemed to not be impaired.

519.3 Personal Contact with D.U.I. Driver

- A. Once a member has conducted a traffic stop, approached a suspicious vehicle, or otherwise come in contact with the operator of a vehicle, members should monitor and be aware of the operator's behavior, physical characteristics, movements, appearance, and responses.
- B. Members should draw a distinction between a driver who is impaired and one who is drunk or inebriated. A person who is drunk may be plainly apparent to a member, however one who is impaired may not display as obvious of symptoms. Members should closely monitor a driver for symptoms of impairment.
- C. Symptoms of impairment by drugs or alcohol may include, but are not limited to, the following.
 1. An odor of an alcoholic beverage or burnt cannabis
 2. Slurred speech or slowed responses
 3. Abnormal appearance of the eyes (watery, bloodshot, etc.)
 4. Slow or sluggish movements
 5. Swaying or unsteady balance
 6. Poor, slow, unsure, or fumbling dexterity
 7. Facial expressions such as appearing drowsy or disoriented
 8. Drooping of the upper eyelids
 9. Constricted or dilated pupils
 10. Erratic or rapid movements and speech
 11. Body tremors, eyelid tremors, or similar neurological responses
 12. Agitated or abnormal behaviors
- D. The member should question the driver about use, quantity, and other pertinent factors regarding alcohol, drug, and chemical substance use. The member should ask any questions relevant to the D.U.I. investigation. A member should document any admissions, denials, and any other responses or utterances about substance use.

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- E. Once a member has observed some symptoms of impairment; the member should request the driver exit the vehicle for further evaluation.

519.4 Field Sobriety Tests and Arrest Decisions

- A. Once a member has a reasonable suspicion that a driver may be impaired by drugs or alcohol, the member will attempt to administer field sobriety tests to help the member evaluate whether the driver is impaired. The individual situation will dictate what field sobriety tests are used for the investigation. In general, it is preferred that the standardized field sobriety tests are used. However, physical impairments, age, drug influence, the environment, and other factors may require that other tests or tasks be utilized.
- B. If a driver indicates they will not complete the requested field tests, the member will inform the driver of the consequences of refusing to complete the tests. Those consequences are that the member will determine whether the driver is impaired based upon the circumstances and factors known to the member as well as that the driver's refusal to complete the tests or tasks can be used against them in court proceedings. If the driver still refuses to complete the field tests, the member will determine if probable cause exists for a D.U.I. arrest.
- C. In certain situations, it may be advisable or necessary to relocate to a more suitable location for field tests. If this is necessary; the member will attempt to obtain consent to relocate the subject to a nearby location. Such a situation would be relocating to a gas station overhang during inclement weather or when stopped at a location such as a unlevel overpass. If the driver is unwilling to relocate to a suitable location, the member will decide without the use of the tests whether the driver is impaired.
- D. Members should use the following tests or tasks to investigate a person's sobriety.
 - 1. **Standardized Field Sobriety Tests:**
 - a. Horizontal Gaze Nystagmus Test
 - b. Walk and Turn Test
 - c. One Leg Stand Test
 - 2. **Alternative Tasks:**
 - a. Modified Romberg Balance Task
 - b. Finger Count Task
 - c. Finger to Nose Task
 - 3. **Standardized Seated Battery Field Tests:**
 - a. Horizontal Gaze Nystagmus Test
 - b. Finger to Nose Task
 - c. Palm Pat Task

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d. Hand Coordination Task

- E.** Nothing prohibits a member from using more than one set of field tests, such as using the standardized tests followed by one or more alternative tasks. Members should use tests or tasks that they are familiar with or trained on.
- F.** After the field tests or refusal to complete the tests, the member will decide based upon the totality of the circumstances whether the driver is impaired.
- G.** If the driver is impaired and probable cause is established, the member will place the driver into custody for D.U.I.
- H.** If the driver is not impaired or probable cause is not established, the member will follow the directives above – 519.2(C).
- I.** All drivers arrested for D.U.I. will be turned over to the Brevard County Jail Complex after processing and all necessary tests and paperwork are completed. Supervisor approval is required for any other disposition.
- J.** In the case of a juvenile D.U.I. driver, members will follow the same procedures as an adult D.U.I. driver except for turning the juvenile over to the jail. Instead, members will either turn the juvenile over to the Juvenile Detention Center, an addiction receiving facility (C.O.C.), or a parent.

519.5 D.U.I. Investigations After a Crash with No Death or Serious Injury

- A.** Members dispatched to a traffic crash may discover or suspect that an involved driver may be impaired.
- B.** With D.U.I. crash investigations, members must have some degree of evidence independent of the D.U.I. driver's statements that they were the operator of the vehicle. Such evidence may include that they were leaning on the vehicle upon the member's arrival, witness statements, evidence of injury consistent with being the driver, etc.
- C.** While these investigations are generally similar to a D.U.I. investigation after a traffic stop or similar contact, each situation may dictate a unique response. If the suspected D.U.I. driver remains at the scene and does not require transport to a hospital for treatment, a member will conduct the D.U.I. investigation in accordance with sections 519.3 and 519.4.
- D.** If the suspected D.U.I. driver is transported to a hospital after the crash by emergency medical personnel, the investigating member or D.U.I. investigator will respond to the hospital to evaluate the driver.

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- E.** In cases where a D.U.I. investigation is initiated after a traffic crash; the member will inform the suspected driver of the change to a D.U.I. investigation and provide their constitutional warnings. The member is not required to inform the driver of a D.U.I. investigation and constitutional warnings if the driver failed to comply with [FSS 316.062](#) and remain on scene of the crash (the driver fled or left the scene of the crash).
- F.** It is preferred that one member investigate the traffic crash and complete the DHSMV Long Form and another member conduct the D.U.I. investigation and complete any charging documents and related reports.
- G.** Dependent upon the circumstances, members with probable cause that the driver was impaired at the time of the crash may make a custodial arrest or file a capias request with the State Attorney's Office. This determination should be made based upon the severity of the injuries, investigative factors, and the likely time the D.U.I. driver will be at the hospital receiving medical care.

519.6 D.U.I. Investigations After a Crash with Death or Serious Injury

- A.** When there is a traffic crash which involves a likelihood of death or serious injury as defined by [FSS 316.1933](#); a on-duty or on-call D.U.I. Team member (D.R.E.) will be dispatched to the scene alongside a Traffic Homicide Investigator (T.H.I.) in accordance with [GO 506](#) and [OMA 506](#).
- B.** If an on-duty D.R.E. is available, they will respond to investigate the traffic crash before an on-call D.R.E. will be called out. If the on-duty D.R.E. is unable to respond in a timely manner, the on-call D.R.E. will be required to respond.
- C.** If for some reason, such as illness or injury, a D.R.E. is unable to respond to the scene; a Traffic Homicide Investigator (T.H.I.) or another member will evaluate any involved drivers for impairment.
- D.** Where there is a suspicion of impairment by one of the involved drivers, the investigating member will thoroughly investigate to determine whether the driver is impaired by alcoholic beverages, controlled substances, or chemical substances. Where probable cause exists that a driver is impaired, the investigating member will ensure that a blood sample is obtained pursuant to [FSS 316.1933](#) as soon as possible after the crash.
- E.** If the driver is willing to voluntarily submit a blood sample, the member should obtain the blood sample. If the driver is unwilling to voluntarily submit to a blood sample, the member should attempt to obtain a search warrant for the driver's blood. The provisions of section 519.8 below will be followed for obtaining any blood sample.

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- F.** Members investigating D.U.I. manslaughter or D.U.I. serious bodily injury cases will ensure video from any surrounding businesses or residences, search warrants, physical evidence, and any witness statements are collected or obtained. Additionally, the investigating member should attempt to interview or obtain evidence from where the substance(s) were being consumed, such as a drinking establishment, residence, etc.
- G.** Cases in which an Agency member is involved in the crash and there is serious injury or death will be investigated by the Florida Highway Patrol or another agency as determined by the Chief of Police.

519.7 Breath and Urine Samples

- A.** If a driver is placed into custody for D.U.I., the arresting member will request the driver to submit to the applicable breath or urine test. The member will request the test(s) that are applicable to the impairment observed. For example, a member who smells an alcoholic beverage and symptoms consistent with alcohol impairment should request a breath alcohol test. A member who smells burnt cannabis, fatigued behavior, and other symptoms consistent with controlled substance impairment, should request a urine test from the driver. A member who smells an odor of an alcoholic beverage, the driver makes admissions to cocaine use, and there are other signs of poly-substance use, should request both a breath and urine test.
- B.** For breath and urine tests, the sample will be requested after a lawful arrest for driving under the influence. [FSS 316.1932](#) and [Florida Administrative Code \(F.A.C.\) 11D8](#) is the governing statute and code for breath and urine tests. The only exception to this will be where a certified Drug Recognition Expert has an Intoxilyzer 8000 in their patrol vehicle and the driver voluntarily submits to a breath test, outside the penalties of [FSS 316.1932](#). In any case, breath tests will generally be requested and conducted post arrest.
- C.** The administration of one test does not preclude a member from requesting another test if applicable.
- D.** Members who are breath test operators will conduct evidentiary breath tests in accordance and compliance with [F.A.C. 11D8](#). Only breath test operators and agency inspectors will have access to evidentiary breath test instruments. Agency inspectors will conduct an inspection on all Agency breath test instruments every calendar month in accordance with [F.A.C. 11D8](#).
- E.** Urine tests can be administered and collected by any member of the Agency. It is preferred that a member of the same gender observes the urine sample being provided by the driver. If no member of the same gender is available, member(s) will use their sense of sound and inspect the sample after it is provided. Urine samples should be of a consistent color and temperature. If the

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member suspects the sample is not an actual sample from the driver, the member will either request another sample and ensure it is witnessed by a member of the same gender or initiate a refusal to submit to testing. Urine samples will be submitted to the Property and Evidence (P&E) Section once packaged. A FDLE Toxicology Form will be completed and submitted to P&E.

- F. Handheld or Portable Breath Test Devices (PBTs) will not be used as a screening tool to establish probable cause for a D.U.I. arrest. PBTs may be used for under 21 .02 violations. A D.R.E. may use a P.B.T. during a drug influence evaluation provided there is no indication of an alcohol level. PBTs may be used for training purposes and other needs as the Agency determines.

519.8 Blood Tests

- A. Blood samples are more invasive tests and as such, require specific circumstances before a blood sample may be obtained (see [Birchfield v. North Dakota](#), [Missouri v. McNeely](#)). Such examples would include a case where the driver is transported to the hospital for medical treatment and a breath or urine test becomes impracticable, a felony D.U.I. investigation, a crash case where serious bodily injury or death results to a person other than the suspected D.U.I. driver, or where the driver voluntarily submits to blood testing independent from [FSS 316.1932](#).
- B. Members who are requesting or obtaining a blood sample will follow the procedures in [FSS 316.1932](#), [FSS 316.1933](#) and [F.A.C. 11D8](#). Members will use Agency provided blood kits which are not expired to obtain the blood sample. A person as defined in [FSS 316.1932](#), will be utilized for the actual drawing of blood. A member will witness the blood samples being drawn and then take custody of the samples. The blood samples will be submitted to the Property and Evidence (P&E) Section after being packaged. A FDLE Toxicology Form will be completed and submitted to P&E.
- C. A person does not have to be under arrest for a member to obtain or request a blood sample from the individual. However, except for purely voluntary samples after a crash, members must have probable cause of D.U.I. to request or obtain the samples.
- D. In the case of a crash involving serious bodily injury or death to another person, or a felony D.U.I. case based upon convictions; members may author and submit a search warrant for the taking of blood samples. In these cases, members will contact the on-call assistant state attorney for review of the warrant and once sufficient, submit the warrant to a judge for review. The most convenient and time-efficient manner of submitting a warrant to a judge is the use of eWarrants. Members who obtain search warrants for a driver's blood will transport the driver to an approved medical facility and utilize a person authorized by the facility to draw the blood. Members will read aloud the search

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warrant to the driver prior to the taking of the blood samples. Unless impossible due to equipment unavailability, the reading of the search warrant will be recorded in some fashion.

- E. In the case of a crash involving serious bodily injury or death to another person, where probable cause exists for D.U.I., the investigating member will make every attempt to obtain a search warrant for the driver's blood, unless the driver voluntarily submits the sample. Members will not as a general practice forcibly draw blood pursuant to [FSS 316.1933](#). If a search warrant cannot be obtained in a timely manner due to the circumstances and exigent circumstances exist; a member may forcibly draw blood pursuant to [FSS 316.1933](#). The member must thoroughly document what the exigent circumstances were that led to the forcible blood draw.

- F. In cases where the driver is transported to the hospital for medical treatment, members must be able to articulate how and why a breath or urine tests would be impracticable prior to requesting a blood sample to be drawn. Such examples would include the person has sustained serious injuries which limits their ability to stand or exit the hospital bed, the person is unlikely to be discharged from the hospital for several hours and will be unable to leave the hospital for a breath test, or other situations where the test(s) would be impracticable.

- G. If a driver has been transported to a hospital for medical treatment and is unconscious, a member may obtain a blood sample from the driver while that person is unconscious. If the driver had previously refused a breath, blood, or urine test prior to becoming unconscious, a member will not obtain a blood sample. See [Mitchell v. Wisconsin](#).

- H. If a driver is willing to voluntarily submit to a blood sample in any case, a member may obtain a blood sample from the driver in accordance with this general order.

- I. If a driver wishes to obtain an independent blood sample, they will only be accommodated if they have provided all lawfully requested evidentiary tests requested by the Agency member(s). If they have completed all requested testing, the member(s) will provide the driver with a phone book or means to contact an organization or location to facilitate the testing. The Agency and its members are not responsible for coordinating this for the driver and the financial burden to complete the testing lies solely with the driver.

519.9 Refusal to Submit to Breath, Blood, or Urine Testing

- A. If a driver indicates that they will not submit to a requested breath or urine test, the investigating member or supporting member will inform the driver of Implied Consent warnings. The warnings may be found on the PBPD Implied Consent

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Form or in the PBPD Alcohol/Drug Influence Report. If the driver holds a commercial driver's license or was operating a commercial motor vehicle, the CDL warnings for implied consent will also be read.

- B. Once the warnings have been provided to the driver, the member will request the sample again. If the driver again refuses to submit to the test, the member will complete the required forms for a refusal to submit to testing.
- C. If D.A.V.I.D. or another record indicates that the driver's license has been previously suspended for refusing a breath, blood, or urine test and the driver is refusing to complete the requested breath and/or urine testing, the arresting member will also charge the driver with Refusal to Submit to Chemical or Physical Test – [FSS 316.1939\(1\)](#).
- D. If the driver indicates they will submit to testing but after reasonable attempts and time to obtain the sample(s) they still fail to provide it; the member will process the arrest as a refusal to submit and complete the applicable paperwork.
- E. In cases of refusals to submit to blood testing, members with probable cause to request the sample will inform the driver of implied consent warnings, without the criminal refusal portion of implied consent. If the driver has a prior suspension for refusal to submit and refuses a blood sample, the member will not charge the driver with [FSS 316.1939\(1\)](#) as they would with a breath or urine case. Members will still initiate a suspension of the driver's license by use of a D.U.I. citation and blood refusal affidavit.

517.10 Arrests Where Members Do Not Witness the Driver in A.P.C.

- A. In general, most D.U.I. investigations will be initiated after a member sees a driver in or operating a vehicle. There is not a misdemeanor exception for driving under the influence.
- B. There are some circumstances where a member may begin a D.U.I. investigation after they personally did not observe the individual driving or in actual physical control. Those situations are as follows:
 1. A felony D.U.I. investigation pursuant to [FSS 316.193\(2\)\(b\)\(1\) or \(2\)\(b\)\(3\)](#).
 2. A D.U.I. investigation as a result of a traffic crash
 3. Fellow officer rule where another law enforcement officer observed the driver operating the vehicle
 4. A citizen's arrest where the driver was stopped or detained by a citizen

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- C. For a citizen's arrest, the citizen must have taken some action to stop or detain the driver. Such examples would include where the citizen took the keys from the driver after observing them operating the vehicle, telling the driver to pull over, blocking the driver's vehicle in with their own, or physically stopping the driver. The citizen must also be willing to provide a statement regarding their actions and observations.

517.11 Drug Recognition Experts

- A. The Agency's Drug Recognition Experts (D.R.E.) will be on-call for traffic homicide investigations, department involved crashes involving suspected D.U.I. drivers, and D.R.E. related matters pursuant to GO 506 and OMA 506.
- B. If a member makes a D.U.I. arrest and the arrest is based upon drug impairment, or the breath test is below the presumptive limit of .08 grams per 210 liters of breath; the member may request the assistance of an on-duty D.R.E.
- C. If a member requests a D.R.E. after a D.U.I. arrest is made; the D.R.E. will respond to the Police Department or contact the member by phone and determine if a drug influence evaluation will be conducted. This determination will be made on the arrestee's cooperation, need for the evaluation, impairment factors, and any legal issues such as the arrestee invoking their right to an attorney.
- D. If a D.R.E. completes a drug influence evaluation, they will submit the D.R.E. report in accordance with the Drug Evaluation and Classification Program's guidelines.
- E. A D.R.E. may also be used by the Agency to meet Agency specific needs.

517.12 Vehicle Disposition

- A. Members should attempt to reach a satisfactory disposition of a driver's vehicle after a crash or arrest. A driver's options are to leave the vehicle parked and locked in a safe and secure location, turn the vehicle over to another person within a reasonable amount of time, or have the vehicle removed from the scene by a wrecker service.
- B. If the vehicle is inoperable due to a crash, the vehicle cannot be lawfully operated (not registered or not insured), the driver is unable to provide a reasonable outcome for the vehicle, or the member determines that leaving the vehicle on scene or with another person is inappropriate (such as the vehicle remaining on scene will create a roadway hazard or the person the driver wishes to turn the vehicle over to is impaired or not licensed); the member will summon a rotation wrecker to take custody of the vehicle.

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- C. Any passengers should be documented in the call for service or report.
- D. Members may search the driver's passenger compartment for further evidence of the crime of D.U.I. after a custodial arrest or when inventorying a vehicle for a tow.

517.13 Reports and Paperwork

- A. Members will submit all necessary paperwork, citations, and reports to the Agency's Records or P&E Section. Such paperwork includes the following.
 1. Arrest Affidavit or Probable Cause Affidavit (All D.U.I. cases)
 2. Cost Recovery Affidavit (All D.U.I. cases)
 3. Alcohol/Drug Influence Report (All D.U.I. Cases)
 4. D.U.I. Citation (Cases with a .08 or higher B.A.C. or a refusal)
 5. Citation(s) (Case dependent)
 6. Breath Alcohol Test Affidavit(s) (Cases where there was a breath test)
 7. Refusal to Submit to Testing Affidavit (Cases where there was a refusal to submit to testing)
 8. FDLE Blood Draw Forms (Cases where a blood draw is conducted)
 9. FDLE Toxicology Work Request (Submitted to the Property and Evidence Section to be forwarded to FDLE with a urine or blood sample)
 10. Search Warrant, Search Warrant Affidavit, Return (Cases where a search warrant is authored and executed)
 11. Vehicle Report or Tow Sheet (Cases where a vehicle was turned over to another person or a vehicle was towed from the scene)
 12. Property Report (Cases where an arrestee's property was turned over to another person)
 13. Drug Influence Evaluation Report (Cases where a D.R.E. completed a separate drug influence evaluation)

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Subject: Call Handling & Preliminary Investigation

OM: A502

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Reference: <[Call Handling & Preliminary Investigation. GO 502](#)>

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502 Purpose

This Operating Manual is designed to assist all members of this agency in the pursuit of their duties.

502.1 Abandoned Vehicles

A. Response Type - Routine response

B. Definitions - [705.101 FSS](#)

1. Procedure for abandoned or lost property [705.103 FSS](#)
2. Abandoned Vehicles (Refer to [City Ordinance 73.23](#))
3. Parking on Right-of-Way (Refer to [City Ordinance 179.093](#))

C. Preliminary Investigation - Evidence of abandonment can be the absence of a current license plate on a vehicle kept, stored, dismantled, partly dismantled, non-operative, or discarded on any property within any residential or commercial sections of the City. Members will follow the procedure for notification and removal addressed in City Ordinance 73.

1. The five day sticker, (orange), will be completed and affixed conspicuously to the vehicle's windshield or other location where it can be relatively easy to remove.
2. Every attempt to contact the owner of the property, either by telephone or written correspondence, should be made to ensure notification and compliance.

D. Right-of-Way Violations - If the vehicles are not removed within several hours, a 24-hour (green) sticker should be completed and affixed conspicuously to the vehicle's windshield or other location where it can be relatively easy to remove. Every attempt to contact the owner of the property will be done in order to ensure notification and compliance.

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E. Procedure

1. If a vehicle has been given notice, whether a 24 hour notice or 5 day notice, a CFS will be recorded. This will provide all pertinent information regarding the vehicle and violation. Basic information should include the following:
 - a. Location, date, time.
 - b. Description of vehicle to include the license number or VIN number if available.
 - c. If you were able to notify the owner via personal contact or telephone.
 - d. After the waiting period of either 24 hours or 5 days, depending on the violation, has passed, the member will return to the location. If the vehicle has not been removed, the member will initiate towing and follow applicable procedures in General Order Traffic Control and Tow Enforcement [GO 507](#)
2. A report is required if any member causes a vehicle to be towed.

F. Required Forms

1. Offense Incident Report
2. Narrative
3. Vehicle Form

G. Entering of Vehicles into FCIC/NCIC as abandoned - Enter FCIC/NCIC when applicable. (Note: abandoned vehicles DO NOT need to be entered into FCIC/NCIC. They may be entered if a member has a specific need; however it is NOT required (FCICII Operations Manual 8-1.2)).

502.2 Abuse/Neglect (Children & Disabled Adults) <[OMA 602.15](#)> Child Abuse [827.03 FSS](#) Elder Abuse [825.102 FSS](#)

A. Response Type

1. Not in-progress - Routine response
2. Just occurred, suspects not on scene - Routine response
3. Just occurred, suspects on scene - Urgent response
4. In-progress - Emergency response [GO 501](#) [GO 213](#)

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B. Preliminary Investigation

1. Determine the jurisdiction where the crime occurred.
2. Upon arrival, the Officer will gather initial information regarding the type of abuse and alleged perpetrator in order to determine whether the Department of Child and Families (DCF) Abuse Hotline should be notified. If the suspect is a "Caregiver" as defined in FSS 827.01 for children or 825.101 for adults, DCF should be notified.
 - a. Notify DCF of the incidents by calling the 1-866 532-2872 number. If immediate action is warranted, contact the DCF Abuse number and then the local DCF Child Services Office and request immediate response by a DCF Child Protective Investigator, (CPI), or a DCF Adult Protective Investigator, (API).
 - DCF ABUSE HOTLINE: LEO Reporting Line 866 532-2873
 - DCF Local Child Services Office- Office Hours: (321) 984-4745
 - DCF Local Child Services Office – After Hours: (321) 537-1886
 - DCF Local Adult Services Office- Office Hours: (321) 409-6241
 - DCF Local Adult Services Office - After Hours: None
 - b. All efforts will be made to coordinate further investigative efforts with the responding DCF PI, including waiting a reasonable time for the DCF PI to respond to the scene.
 - c. Officers will meet with the DCF PI in person when assigned the call.
 - d. Regardless of how the abuse/neglect call is received; the primary role of the officer is to conduct a criminal investigation while DCF conducts a social services investigation. **DCF has no authority over criminal investigations.**
 - e. The Communications Center will not issue a Daily Report, (DR), number or Call For Service, (CFS), number directly to members of the Department of Children and Families. DR/CFS numbers in reference to any initial allegation of child or adult abuse/maltreatment/neglect will only be issued to a patrol officer, supervisor, or requesting detective. This practice will assure that the Department of Children and Families and the Palm Bay Police Department are involved in a collateral investigation of all child and adult abuse allegations.

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C. Notifying the Investigations Division (Special Victims Unit)

1. After determining a founded allegation, the Special Victims Unit (SVU) will be notified immediately in the following circumstances.
 - a. Physical Abuse Cases
 - Evidence of Physical Child Abuse by a Caregiver with noticeable injury.
 - Allegations constituting Aggravated Child Abuse.
 - Injury to a non-ambulatory, non-verbal, or developmentally delayed child or vulnerable adult.
 - Suspicious injury to a child five years of age or younger.
 - b. Neglect Cases
 - Neglect resulting in great bodily harm, permanent disability, or permanent disfigurement.
 - Suspicion of serious physical or mental injury, or substantial risk of death. (Includes near drowning of infant or toddler)
 - Suspicion of failure to thrive in a child who is less than five years of age, or who is non-ambulatory, non-verbal or developmentally delayed.
 - c. Sexual Abuse Cases - All cases involving allegations of sexual abuse. (This includes child on child sex cases. While these may not at first appear to be criminal, the sexual acting out of a young child must be investigated to determine causes). Sex Crimes Chart
 - d. All cases where a law enforcement officer or public official is alleged to be a perpetrator.
 - e. Cases where the child is being referred to the Child Protection Team (CPT) for either a medical examination or forensic interview
 - f. Death of a juvenile by means other than a traffic crash.
 - g. Abduction or kidnapping of a child (under 18).
 - Including attempted abductions
 - Including luring or enticing a child (< 12 years old)

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- h. Interference with child custody (not including parental civil cases).
- i. Contributing to the delinquency / dependency of a minor.
- j. Travelling to meet a minor.

D. Criminal Investigation - The Patrol Officer responsibilities

1. Determine the nature and extent of the abuse or neglect.
2. Make contact with the victim.
3. Identify the person(s) responsible for the abuse or neglect.
4. Seize any physical evidence; belt, paddle, switches
5. If a search warrant is required, officers should request through their supervisor the on-call SVU Detective be called to assist.
6. Obtain witness information. Include **all** available telephone numbers of all involved parties.
7. When an officer has evidence of abuse or neglect he/she will photograph the victim and apparent injuries. The officer should document and photograph the living environment and crime scene if appropriate to the case, collect or preserve physical evidence, and canvass neighbors.
8. Notify medical personnel if treatment is necessary and/or requested.
9. Victim or guardian, (if not the suspect), will be given a Victims Rights Pamphlet. This will be documented in the narrative.
10. If the Officer is on the scene with the DCF PI, prior to leaving, the Officer will supply the DCF PI with:
 - a. His/her name and ID number.
 - b. DR number.
 - c. Status of the investigation.
 - d. The name of the law enforcement personnel responsible for closure of the investigation.
 - e. If the investigation is **not** being referred to the Special Victims Unit (SVU) and probable cause exists and the suspect is on scene, an

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arrest should be made. Statements are required from the victim, witnesses, and suspects(s) if possible. Minor abuse or neglect cases may be handled at the Patrol level. All others, (aggravated, sexual, etc.), should be referred to SVU.

- f. A written report will be made for all initial investigations, regardless of the case status. Supplement reports will be done for follow-ups.

11. Reporting Requirements

- a. The report will reflect only one victim per case number. Additional victims will require additional case report numbers and case reports unless the abuse occurred to the victims at the same time.
- b. The report will reflect a specific criminal offense.
- c. All case reports will reflect the specific allegations of the complaint and the steps taken to arrive at the current status of the investigation.
- d. All case reports will reflect any consultation with investigative personnel that resulted in case closure.
- e. All case reports will reflect a contact number for the victim or victim's guardian so that interviews can be scheduled in a timely manner.
- f. Victim or guardian, (if not the suspect), will be given a Victims Rights Pamphlet. This will be documented in the narrative.
- g. The report will reflect an appropriate closure. (Unfounded cases may be closed as such by the officer. The officer should consult with the DCF PI as to the case disposition).
- h. If a DR has already been issued to DCF regarding an alleged abuse/neglect and another officer is assisting with a follow-up or part of the initial investigation at another location, DCF should provide the DR number. The officer should complete a supplement to the original DR.
- i. In cases where DCF is responding to an abuse/neglect call that is a result of a previous **Domestic Violence** call, DCF should provide the previous Domestic Violence DR number and the officer should complete a supplement to the Domestic Violence DR.
- j. In cases where an initial response is requested by DCF and it is found that there is no one at home, the officer will notate that

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information in the comments in CAD. Subsequent officers will complete comments in CAD also stating that no one was home at the time of the CFS.

E. Interviewing Children - Administrative Order 91-76-Ci (excerpt)

1. *The following guidelines will be adhered to in every case involving a violation of section [794.011](#); [800.04](#); [827.03](#); [827.04](#), Florida Statutes, where the **victim is under the age of sixteen**:*

- a. Investigative agencies may conduct one full & complete investigative interview of the victim for the purposes of criminal and dependency proceedings.*
- b. All agencies involved in the investigation of violations of these sections will coordinate their investigations to facilitate this provision. If, after diligent efforts to cooperate and schedule one joint interview, DCF is unable to attend the law enforcement interview, or law enforcement is unable to attend the DCF interview, the absent agency will rely on the interview already conducted.*

"INTERVIEW," for purposes of this Order, means any procedure in which the child is required to provide and does provide a detailed account or demonstration of the nature and circumstances of the abuse, but does not include the history obtained for purposes of medical or psychological diagnosis, therapy, or treatment, or any initial contact with the child by law enforcement, an agent or employee of the school system, or DCF to assess the validity of the complaint or the need to take protective measures on behalf of the victim.

(Note: A written or audio recorded sworn statement constitutes an interview)

2. Officers may conduct recorded interviews from a juvenile under 16 only if the case will be followed up by the patrol officer.
3. DCF, CPI, and the Patrol Officer should conduct the basic interview jointly.
4. In cases of alleged child sexual abuse, the responding Patrol Officer should refrain from conducting an in depth interview of the victim. A "formal" interview will be conducted by a Detective or Child Protection Team, (CPT), in these situations.

- #### **F. Taking a Child into Protective Custody** - When there are reasonable grounds to believe that a child has been abandoned, abused or neglected, is suffering from illness or injury, or is in immediate danger from his surroundings [39.401 FSS](#), the following will take place:

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1. Advise supervisor prior to taking a child into protective custody.
2. Be cognizant of no explanation for injuries or implausible theories provided by the caregiver for any injury. The following are some indicators of child abuse:
 - Non-accidental bruising patterns;
 - Injuries in different stages of healing;
 - Complications from old injuries;
 - Broken, dislocated, or deformed limbs;
 - Cigarette burn;
 - Loop patterns from beatings;
 - Indications of neglect;
 - Swelling.

G. Responding to Schools (Uniform Protocol for Brevard County's Response to Crimes Against Children - dtd. March 14, 2008)

1. In the event law enforcement and DCF must respond to a school to make initial contact with a child on a child abuse complaint, the Officer and CPI will identify themselves and request immediate contact with the school principal or his/her designee. The identity of the child and the purpose of the visit will be disclosed solely to the principal or his/her designee.
2. The Officer and CPI will consult with the principal or his/her designee about the nature of the complaint and the best course of action in making initial contact with the child in an effort to reduce any anxiety on the part of the child.
3. The school officials will act to facilitate the interview process in a child-supportive atmosphere. School personnel should not interview or question the child about the complaint, nor will any school personnel contact the child's parent or guardian unless specifically requested to by the Officer or CPI.

H. Required Report Forms

1. Offense/Incident

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2. Persons Form, (If applicable)
3. Property Form, (If applicable)
4. Narrative Form
5. Statement Forms, (If Applicable)
6. Waiver of Rights Form, (If Applicable)
7. 923.01, (If Applicable)
8. Copy of DCF Report, (with DR number)

I. Example of Standard Preliminary Report Narrative

1. Date, Time, and Location of Incidents
2. Complete information on all involved parties
3. Describe injuries
4. Describe living environment
5. Describe evidence seen/collected
6. Summarize all statements and spontaneous utterances
7. Describe inconsistencies with other statements or physical evidence.
8. Describe demeanor of involved parties
9. Describe all contacts or notifications made
10. Describe each element of the offense
11. Name and Contact number of the DCF CPI.

J. Follow-up Responsibilities - The Investigations Division, (Special Victims Unit), conducts follow-up investigations on Child or Elder Abuse & Neglect Complaints, not completed by Uniform Services Division. [OMA 602](#)

502.4 ACIM - ACIM is similar to the reverse 911 System. It places calls to homes and businesses within areas designated by law enforcement to alert them to information regarding missing children, elderly, or disabled persons.

A. Criteria for initiating ACIM - This program is intended for the following:

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1. Young children who have wandered away from their guardian.
2. Children or adults who require interval medication to function.
3. Elderly Alzheimer patients who have wandered away from their caregiver.
4. Disabled people who are in danger of the elements or basic necessities.

B. Authority to initiate ACIM - The on-duty Commander must authorize the entry of a child into the ACIM program.

C. Procedure

1. Determine if the missing person fits the criteria.
2. Determine if the Department and/or Fire Department has searched the immediate area where the person went missing, i.e. water, wooded lots, abandoned vehicles, etc.
3. Obtain approval for activation through the supervisor and the appropriate Commander.

D. Activation - When calling ACIM at **1-888-875-2246**, have the following information from **Missing Person Form** ready:

1. Name, date of birth, and gender of missing person.
2. Nationality, ethnicity, height, weight, hair, and eye color of missing person.
3. Clothing description.
4. Any scars or physical characteristics.
5. Any medical/psychological conditions.
6. Home address, (including zip code), and telephone number of missing person.
7. Location, date, time, last seen (including zip code if different from home).
8. Agency phone number for the public to call with information.
9. Case number assigned to the case.
10. If there is water or wooded areas in the vicinity, where the person was last seen?

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11. Have friends and relatives been notified?

12. Has the person has gone missing before?

13. If a child, are there any known sex offenders or predators within 1 mile of the area last seen.

E. De-Activation - Once a missing person has been recovered, the agency/investigating officer will notify ACIM to stop the search. ACIM will fax a case follow-up to the agency/officer documenting the conclusion of the case. This form will be faxed back to ACIM promptly when completed. A copy of the returned fax to ACIM will be included in the case report.

502.5 Aircraft Crashes

A. Response Type Refer to GO 213.2

B. Officer Preliminary Responsibilities

1. Beware of Hazardous Material and take appropriate precautions.
2. Render any medical assistance.
3. Cordon an area around the crash scene to ensure public safety and to maintain scene security.
4. Protect the area from looting.
5. **Don PPE** and assist in removing the bodies from the wreckage when applicable. [OMA 415](#)

C. Supervisor Preliminary Responsibilities [GO 215](#) [OMA 215](#)

1. Respond to the scene and take charge until relieved by proper authority.
2. Notify the Chain of Command, the Investigations Commander, Staff Duty Officer, Emergency Management Coordinator, email the information to cleanwater@pbfl.org, and the Public Information Officer.
3. Establish a preliminary command post with the senior fire supervisor on scene from which rescue, security, and investigative operations may be coordinated.
4. Request an evidence technician respond to photograph wreckage and debris.

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5. Notify the nearest office of the National Transportation Safety Board.

D. Follow up Responsibilities

1. A complete pathological and toxicological study is required whenever pilot injuries are fatal and should be arranged by Investigations Division and the Medical Examiner.
2. If the aircraft is civil or it cannot be readily ascertained whether the craft is civil or military, the shift supervisor will have dispatch contact the nearest FAA facility. This may be an airport control tower, flight service, station, or the flight standards district office. The district office maintains a 24-hour accident standby schedule.
3. If the aircraft involved is military and the branch of service operating the aircraft can be readily ascertained, the shift supervisor will have Dispatch contact the command post of the nearest unit of that branch of service. Arrangements may then be made for establishing security of the wreckage and cooperative efforts between that service branch and the Department.

502.6 Alarm Calls [GO 703](#)

A. Response Type

1. **Priority Alarm Responses** - The following types of alarm responses will be considered as potentially life-threatening, (in-progress), calls for service and response should be in emergency mode: [GO 213](#)
 - a. Robbery
 - b. Home Invasion
 - c. Medical Alarm
 - d. Panic
 - e. Fire

B. City [Ordinance Chapter 117](#)

C. Preliminary Investigation

1. Coordinate back up response. **Determine call history from CAD, particularly calls of violent nature.**
2. Simultaneously arrive on scene with other units.

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3. Be cognizant and broadcast vehicles/persons leaving the area.
4. Advise dispatch if alarm appears founded or false. If the alarm was false, the call will be closed out by communications or the member as a false alarm, (not "No report"). For all false alarms, comments will be entered into CAD.

D. Robbery/Home Invasion Alarms Procedures

1. Respond in emergency mode.
2. Once on scene, Dispatch will be requested to call and determine if the alarm is valid or not.
3. If the robbery alarm is valid and in progress, officers will not enter the building if there is no extreme threat to the safety of the persons inside. The following procedures will be adhered to:
 - a. The supervisor will be notified.
 - b. Officers will deploy in sufficient number to contain the suspect(s) without being observed.
 - c. The suspect(s) will be allowed to exit the robbery location prior to confrontation.
 - d. After a suspect(s) exits, officers will prevent the suspect(s) from re-entering the robbery location if possible, (officers should deploy between the suspect(s) and the victim's location).
 - e. Be aware of possible hostage situations.
 - f. Be cognizant and act being mindful of the safety of all involved.
 - g. Beware of ambush situations.
 - h. Once the scene is secure, the appropriate criminal investigation will be conducted.

E. Burglary Alarms

1. On burglary alarms, the preceding general response noted in A 2 will apply.
2. Once on a scene, a perimeter check of the building will be made to locate a possible point of entry.

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- a. If none can be found, officers will request a key holder to respond to allow entry for checking the building's interior if necessary.
- b. If a point of entry is located, a thorough search will be conducted on the building interior whenever possible by the Canine Team. If there is no canine team on duty, the supervisor will call for a canine team if deemed appropriate. If there is no response or canine teams are unable to respond, a canine may be requested from another agency.
- c. If appropriate, a supervisor will be advised. If the supervisor approves, the officer may request additional assistance, (i.e. Crime Scene Technician, Investigations, etc.)
- d. Upon clearing an unfounded alarm, officers will advise if the cause of alarm was owner/employee error, faulty equipment, weather, or causes unknown. This information will be recorded in the CAD system.
- e. If a key holder cannot be contacted, the building will be secured, if possible. The officer will note in CAD that the responsible person is unavailable.
- f. A supervisor will be notified on any building that cannot be secured. The supervisor will determine if an officer, V-COP, or other means are appropriate to secure the building.

F. Required Forms - Each time an officer investigates an instance where the alarm is unfounded; comments will be noted in CAD.

G. Example Narrative - No written report is required on alarm responses unless a crime is detected.

H. Follow-up Responsibility - Patrol will be responsible for all alarm calls-for-service. Refer to burglary and/or criminal mischief operating manual for follow-up responsibilities if the alarm is founded.

I. Inclement Weather - In cases where there is inclement weather, (heavy storming, hail, etc.), the supervisor will determine the need for responding to alarm calls.

J. Continued False Alarms - The supervisor will determine the need for responding to residences or businesses where officers have responded on several occasions and no known cause for the alarm is located.

502.7 Amber Alerts - Refer to [GO228](#) and/or The Florida Amber Alert Plan

502.8 Arson [OMA 602.7](#)

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A. Response Type - Refer to [GO 213.2](#)

B. Arson [806.01 FSS](#)

1. Arson causing injury to another [806.031 FSS](#)
2. Preventing or obstructing extinguishment of fire [806.10 FSS](#)
3. Fire bombs [806.111 FSS](#)

C. Preliminary Investigative Responsibilities

1. If the call is in-progress or just occurred with suspects on scene, responding units will coordinate their response and arrival to the area to maximize safety and apprehend offenders. [GO 215](#)
 - a. Ensure FD is responding to any active fires. If officers arrive prior to FD they should provide the safest direct route to the area.
 - b. Depending on the severity of the scene, cordon off the proximity and preserve the crime scene.
 - c. A designated officer will be assigned to make contact with the complainant.
 - d. Evacuate surrounding people if necessary.
 - e. Render first aid - request medical assistance if needed.
 - f. Canvass area for additional witnesses, suspect information.
 - g. The investigating officer will attempt to obtain the following information.
2. Statements from the complainant and any witnesses will be obtained when able.
3. The ownership or registration of property affected will be verified. This should include addresses and phone numbers of the owner along with any insurance information.
4. The member will ensure digital photographs of scene are obtained. (Officers, Crime Scene Technician, etc.)
5. If possible, the investigating officer will position their vehicle in order to capture video footage of the fire and scene. This video will be placed into property and evidence.

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6. The investigating officer will request their supervisor to contact the FD Fire Investigator.

D. Follow-up Responsibility - Arson follow-up is completed by FD investigators and the Major Case Unit at the request of the Fire Marshall.

502.9 Assaults

A. Response Type - Refer to [GO 213](#)

B. Assault [784.011 FSS](#), **Aggravated Assault** [784.021 FSS](#)

C. Preliminary Investigation

1. Plan approach and coordinate simultaneous arrival at scene.
2. Park several lots away approach on foot.
3. Listen at door/window before making your presence known.
4. Secure weapons used at scene, if applicable.
5. Separate parties involved.
6. Interview parties without interference with others.
7. Maintain visual of other officers at the scene.
8. Do not allow the parties to enter another room unescorted.
9. Instruct anyone not directly involved in the incident or a witness to leave the area.
10. If there is probable cause with a felony and the suspect is present; enforcement action should be taken if the victim is willing to prosecute.
 - a. Probable cause with a misdemeanor and the victim wishes to pursue charges, complete a capias request or affect an arrest, whichever is appropriate.
 - b. If the suspect has fled the scene a local bolo should be issued advising other officers of the suspect's description and if any weapons were involved.
 - c. If probable cause has been established, the member will complete an arrest warrant if the suspect has fled the area.

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11. Provide victim a Victims Rights Pamphlet. Document in the narrative.

D. Follow-up Responsibility - Patrol will be responsible for conducting follow-up investigation on assault and aggravated assault calls-for-service. Patrol Officers will receive a Felony Follow-up Card from their supervisor.

502.10 Auto Theft [OMA 602](#)

A. Response Type - Refer to [GO 213](#)

B. Definitions [812.012 FSS](#)

1. Theft [812.014 FSS](#)
2. Theft from person 65 or Older [812.0145 FSS](#)

C. Preliminary Responsibilities

1. When a complaint is received regarding a stolen vehicle, an incident report will be completed by the assigned member.
2. If the complainant is at the station or can come to the station, the report should be handled by the Desk Booking Specialist (DBS).
3. If the complainant cannot come to the station, or there is no DBS on duty, a patrol officer will respond to the complainant's location and complete the required paperwork.
4. The victim's signature is required on the affidavit portion of the vehicle report form. If the victim is not available, the agent of the victim may initiate the report and sign the affidavit.
5. Vehicle information will be provided as soon as possible to dispatch for input into the FCIC/NCIC computer system.
6. An attempt will be made by the responding member to develop suspect information. This can be accomplished through interviewing the victim, witness interviews, conducting a neighborhood canvas, etc.
7. The member should consider and discuss with the victim any possible repossession or joint ownership.
8. The member should check with dispatch to determine if the vehicle is recorded as repossession.

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9. Specific questions should be asked and the answers included in the initial report.
 - a. Who has access to the keys?
 - b. Does anyone ever borrow the car?
 - c. How much gas was in the car?
 - d. Were there any weapons in the car?
10. The member should issue a local broadcast advising other officers of the theft and provide a description. Those members not handling calls should search their respective areas for the vehicle.
11. Members will ask the victim(s) if they have used any type of micro dot technology on their property for identification purposes.
 - a. If the victim has used micro dot technology, the member will ascertain which product was used.
 - b. Ensure that the information regarding the micro dot technology (which company used) is listed in the report.
 - c. Include in the report the locations on the property in which the micro dot technology was placed.
12. Whenever weapons are associated with stolen vehicles all patrol personnel should be advised.

D. Recovered Stolen Vehicles

1. A member will be dispatched to all recovered stolen vehicle calls within the city limits.
2. At the discretion of the sworn supervisor, a member may respond to nearby locations outside the city limits to handle the recovery of vehicles stolen from Palm Bay.
3. If the vehicle was reported stolen through the Department, the member will complete a supplement report detailing the location and the condition of the vehicle at the time of recovery. A vehicle report form will also be required. The approximate dollar amount of the vehicle after the recovery will be put on the vehicle form.

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E. Recovered Stolen Vehicles from another Agency - If the vehicle was reported stolen through another agency, will notify the originating agency and place a LOCATE on the entry in FCIC/NCIC.

1. The location of recovery.
2. The registered owner's information.
3. The vehicle information, including vehicle disposition.
4. Suspect information if applicable.
5. Complainant information.
6. The name of the reporting agency and their case number.
7. If the vehicle is operable, the member should contact the owner to have them reclaim the vehicle.
8. The responding member will contact the originating agency and inform them of the circumstances. If the agency is in the county, the member will offer them the opportunity to process the crime scene.
9. If the vehicle is inoperable or the owner cannot respond, the member will call for a rotation wrecker and have the vehicle stored at the responding wrecker's secure storage lot.
10. The vehicle is not to be towed or stored at the police impound lot or the city garage unless it is a city owned vehicle.
11. The recovered stolen vehicle may be released to the owner at the recovery scene without being impounded if:
 - a. The vehicle has been processed for evidence or does not need to be processed
 - b. If there is no need for the vehicle to be held as evidence
 - c. If the owner of the vehicle cannot immediately respond and take control of the vehicle, they will be advised where it has been stored and who to contact to secure its release.
12. The owner or agent will sign the bottom of the vehicle form in the area provided. Proof of identification is required prior to releasing the vehicle to anyone other than the assigned wrecker operator.

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13. Whenever possible, stolen vehicles and their contents will be processed. Vehicles reported stolen in Palm Bay and subsequently recovered in other jurisdictions are to be processed by our agency when the sworn supervisor deems necessary

14. Dispatch will be given the supplement report showing the recovery of a stolen vehicle as soon as possible. This is to facilitate the removal of the vehicle from FCIC/NCIC and to send a teletype to the originating agency, if applicable, advising them of the recovery.

15. In all cases where a vehicle stolen from within the City is recovered, a reasonable immediate effort will be made to notify the owner of the recovery.

- a. The member assigned to the call will be responsible for the notification.
- b. If the owner or agent does not claim the vehicle at the scene, the member will complete a Vehicle/Property Recovery Report Form and forward it to the patrol secretary with a request that it be sent by certified mail.
- c. The member will ensure that whoever initiated the stolen vehicle report notifies, if known, the registered owner, the insurer, and any registered lien holder of the vehicle of the recovery within 7 days.
- d. If notification has not been made within the 7-day period by the initiating agency, then notification will be made immediately by certified letter, return receipt requested, by the law enforcement agency which initiated the stolen vehicle report.
- e. A copy of the Recovery Report Form and the return receipt will be included with the case file.

F. Vehicles without Identifiable VIN or License Plates - When a member discovers a vehicle with the VIN number removed or unreadable and without a legible license tag, the member will look around the underneath of the vehicle for any visible micro dot technology. If there appears to be micro dot technology present, the member will:

1. Use the issued micro dot technology reader to view the area to confirm.
2. If the reader reveals micro dot technology, the member will notate the numbers and contact the company (typically from an internet website listed on the dots) from which the micro dots were made in order to identify the registration information.

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3. The member will use the registration information to determine if the vehicle is listed as stolen.
 - a. If the vehicle is listed as stolen, the member will confirm this status and follow the above procedures.
 - b. If the vehicle is not listed as stolen, the member will contact the registered own to inquire on the status of the vehicle.
 - c. Regardless of the status of the vehicle, the member will notate in the report that micro dot technology was used to identify the owner of the vehicle.

G. Specific Required Forms - Offense Incident, Narrative Continuation, Persons Report, Arrest Warrant Packet (if needed), 923.01 (if needed), Cost Recovery (if arrest or charges), and Vehicle Report (or 3 in 1 affidavit).

H. Follow-up Responsibility - USD will be responsible for conducting follow-up investigation.

502.11 Battery (Not Domestic Violence) [GO 220](#)

A. Response Type - Refer to [GO 213](#)

B. Battery [784.03 FSS](#)

1. Felony Battery [784.041 FSS](#)
2. Aggravated Battery [784.045 FSS](#)

C. Preliminary Investigative Responsibilities

1. Coordinate to arrive at scene with back up.
2. Park away from incidents location and approach on foot.
3. Listen at a door or window prior to making your presence known.
4. Provide first aid or request medical personnel if required. Separate parties involved.
5. Interview parties separately without other party interference. Maintain visual contact with back-up officer.
6. Do not allow the parties to enter another room unescorted. This could allow them access to weapons without your knowledge.

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7. Request additional officers for crowd control if necessary. Instruct anyone not directly involved or a witness in the incidents to leave the area. This reduces the likelihood of interference by friends or family members.
8. If probable cause to arrest exists and the suspect is present, enforcement action should be taken if the victim is willing to prosecute.
9. Separate and interview all witnesses.
10. If the suspect has fled the scene, a local BOLO should be given advising other officers of the suspect's description and if any weapons were involved.
11. Photograph all injuries to the victim and/or suspect.
12. Collect any physical evidence at scene (weapon used, ripped clothing, hair, etc.).
13. Obtain authorization from supervisor to follow injured parties to hospital, if necessary. Advise supervisor extent of injury.
 - a. If the victim is critically injured and transported for emergency treatment, an officer will accompany the victim in the ambulance in order to obtain a "dying declaration" if given.
 - b. With the supervisor's approval, call the On-call MCU Detective immediately to respond to the hospital for investigation and collection of evidence.
 - c. Provide victim with a Victims Rights Pamphlet. This action will be documented in the narrative.

D. Specific Required Forms - If it is domestic violence related, DV Worksheet and SAO Notice to Appear.

E. Follow-up Responsibilities - Patrol officers will be responsible for all battery calls for service. Major Case Unit will be responsible for all aggravated battery calls for service where an on-scene arrest has not been made. [OMA 602](#)

502.12 Bomb Threats [GO 512](#)

A. Response Type - Responses should be made in urgent mode unless the suspects are on scene or the call is in progress. If suspects are on scene or the call is in progress, emergency mode should be used. Notifications to the Chief of Police, Staff Duty Officer and Emergency Management Coordinator

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must also be done. If a device is located, an email must be sent to cleanwater@pbfl.org.

B. Threat to discharge destructive device [790.162 FSS](#)

1. False Reports [790.164 FSS](#)
2. Manufacture, possession, sale delivery [790.166 FSS](#)

C. Preliminary Investigation [GO 512](#)

D. Follow-up responsibilities - Follow-up investigations will be conducted by the Major Case Unit.

502.13 Burglary [OMA 602](#)

A. Response Type - Refer to [GO 213](#) CSPADE should be instituted when necessary.

B. Definitions [810.011 FSS](#)

1. Burglary [810.02 FSS](#)
2. Possession of Burglary Tools [810.06 FSS](#)

C. Preliminary Investigation

1. A minimum of two officers will be dispatched to all reported burglaries in progress.
 - a. If in emergency mode, the siren should be turned off to avoid alerting any suspects when near the scene.
 - b. The emergency lights should be left on until you are in the neighborhood of the call.
2. Officers will park their vehicles at a safe distance and approach the location on foot, using any available cover or concealment.
 - a. Coordinate response units on opposing corners of location or to observe entry/exit points.
 - b. Visually check location for forced entry point. If none is detected, coordinate perimeter check of structure checking for unlocked doors/windows.

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- c. If an access point is located, the officers will advise dispatch and should request a canine unit to perform a building search.
 - If no canine units are on-duty, and there is a strong belief that someone is in the building, a Department police canine team will be paged.
 - A canine team from another department may be used if no Department canine team is available.
 - If a canine team is to be used, officers will return to a position of cover until the canine officer arrives.
 - The canine officer will direct the search of the scene.
- d. If no canine team is available the officers will request emergency radio traffic and conduct a building search.
 - Prior to entering the building, the officers will announce their presence and instruct any occupants to exit the building, specifying which exit the occupants will use, if applicable.
 - If there is no response, or any suspect(s) are in custody, the officers will perform a building search.
 - If there is a hostile response, the officers will retreat to a position of cover and advise the shift supervisor of a possible barricaded situation.
- e. Control and secure subject if located. Request additional units if necessary.
- f. If an officer has a strong belief that a suspect has locked himself in a building, the following criteria applies:
 - Call the supervisor
 - Verbally command the suspect(s) to exit from the room or building
 - Use command pack, (gas), if approved by a supervisor
 - After discussion between the supervisor and the canine officer (if on scene), deploy canine or call out SWAT.
- g. Once the subject is secured, the officers may reenter the building to continue the search. Officers will begin a new search each time they reenter a building.

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3. When the building search is completed, the primary officer will advise dispatch to cancel emergency radio traffic.
4. If the building is unsecured, an officer will remain at the scene until the owner or agent arrives to secure the building.
 - a. If the owner or agent refuses to respond to the scene or cannot respond within a reasonable amount of time, the officer may secure the building to the best of their ability.
 - b. The supervisor may allow the building to be left unsecured upon his discretion.
5. **Burglaries Not In Progress** - One member will be dispatched to investigate burglaries which are not in progress. Additional members may be dispatched based on the temperament of the complainant or the complexity of the scene. If suspect information is developed, a large amount of expensive items were taken, firearms stolen, etc., the member will notify their supervisor who will make a decision if GCU needs to respond to the location.
6. **Investigation:**
 - a. Establish a time frame for the event.
 - b. Establish method of entry and exit.
 - c. List of all property taken during the burglary.
 - Determine if any type of micro dot technology was used on the property by the victim for identification purposes.
 - If micro dot technology was used, ascertain the company that makes the item and the location on the property that the owner placed the dots.
 - Ensure the location on the property that the micro dot technology was placed by the victim is notated in the report.
 - d. Describe any notable method of operation for the intelligence unit.
 - e. Conduct neighborhood contacts and list the results in the report. This includes those locations where there was no response. A crime was committed pamphlet will be left at area residences when there is no response.

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- f. Provide victim with a Victims Rights Pamphlet. This action will be documented in the narrative.
- g. If probable cause is established and the suspect is on scene, the member will take enforcement action as long as the victim is cooperating. If the suspect has fled the scene, the member will contact General Crimes with supervisor approval to assume the investigation. If the member's supervisor and the GCU supervisor gives approval, the investigating sworn officer may complete an arrest warrant for the suspect.

D. Specific Required Forms - Offense Incident, Narrative Continuation, Burglary Affidavit (3 in 1 affidavit).

E. Follow-up Responsibilities

- 1. Residential and commercial burglaries will be followed up by the General Crimes Unit. [OMA 602](#)
- 2. Vehicle burglaries are followed up by USD.

502.14 Citizen Assist

A. Response Type - Refer to [GO 213](#)

B. Responsibilities - Members are required to render assistance when requested. Assistance may be investigating crime, giving directions, transports, referrals, or any other reasonable request

C. Traffic Related Assistance [GO 507](#)

- 1. **Referrals** - Members contacted for assistance that deals with another department of City government will refer the citizen to the appropriate office. If a person requests assistance involving a particular aspect of police service the following procedure will be followed:
 - a. 0800-1700hrs: the person will be directed to the appropriate organizational unit. However, the member will not make unnecessary referrals, i.e. 'call City Council or the Mayor.'
 - b. 1700-0800hrs: the member will attempt to resolve the situation. If the person is not satisfied or requests to speak to a supervisor they will be referred to the on duty Patrol supervisor.
 - c. When a person requests to speak with a police officer rather than a DBS, a police officer will be sent.

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d. **Ongoing Cases** - Requests by telephone from citizens involved in ongoing cases will be referred to the officer handling the case or to the officer's supervisor. Officers contacting or being contacted by citizens will respond politely and courteously.

2. **Complaints on Department or Personnel** - Provide the following information. [GO 223](#)

- a. Offer to contact the on-duty supervisor or on-duty Commander.
- b. Provide the complainant with the name and phone number of Internal Affairs Unit.
- c. After you explain the above options to the complainant, provide them with your name, badge number, and the Department's address, and phone number, (provide a business card).
- d. The person should be given a complaint form if able. Complaint forms are available in the police department lobby.

3. **Courtesy Transports** - [GO 210](#)

502.15 Court - Court Presentation depends heavily on the facts of the case as established by the evidence the officer has gathered, the witnesses that testify in court, and the report the officer has written describing the incidents. See Judicial Responsibilities [GO 411](#) for general policy and procedures:

- A. The officer will ensure that all evidence has been properly entered into the evidence system and is available for court on the assigned court date.
- B. If a witness is essential to the case, the officer will ensure that he/she is listed in the case report.
- C. All pertinent information should be included in the initial police report. The officer will review the case report and any notes to ensure that the essential facts establishing the offense are available to the prosecuting attorney. If the officer recalls information that is not included in the report, he will advise the prosecutor prior to the trial and complete a supplemental report.
- D. A professional appearance is essential in gaining the respect of the court. The officer will wear appropriate clothing as defined in GO413. The officer will be professional and polite at all times.
- E. The officer will direct his attention to the person asking questions. When answering, he will speak loudly and clearly and direct his answers to the jurors in a jury trial or to the judge in a bench trial.

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- F. The officer will listen carefully to the question asked. If he does not understand a question, he will ask the attorney to clarify it before attempting to answer. He will explain his answer if necessary, but will not volunteer information.
- G. When an objection is made, the officer will stop talking and wait until the court rules on the objection.
- H. The court and judge want only the facts. The officer will not provide opinions unless specifically requested.
- I. The officer is sworn to tell the truth. The officer will not jeopardize his credibility with the judge, jury, or prosecuting attorney by trying to bluff his way through a question. If he does not know or cannot remember the answer, he will say so.
- J. The officer will avoid reading directly from his notes or report when testifying. If necessary, he may request permission to refresh his memory by examining his notes or case report. If the officer reads from his notes or report while testifying, the defense attorney may request that the document be admitted as evidence.

502.16 Criminal Mischief

A. Response Type - Refer to [GO 213](#)

B. Criminal Mischief [806.13 FSS](#)

C. Preliminary Investigations - The complaint can be handled over the telephone, as a walk-in complaint, or by having a member respond to the scene.

1. Telephone Procedure

If the complainant insists it is handled in person they should be asked to come to the station. If the complainant is unable to come to the station a member will be dispatched to their location.

2. Walk-in Complaints - If the complainant comes to the station, the case may be handled by any member.

3. Required Officer Response - Two officers will be dispatched to all reports of a criminal mischief that are in progress. If, upon arrival, it is determined that the offense is no longer in progress the back-up officer may cancel his response.

D. Report Criteria

- 1. A written report is required on those incidents where there is sufficient information to identify a suspect or the incident is classified as a felony

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offense. This includes if the victim wishes to pursue charges or not. The following incidents are classified as felonies.

- a. Damage amount is \$1,000.00 or more;
- b. If the criminal mischief results in the interruption or impairment of a business operation or public communication, transportation, supply of water, gas or power, telephone or other public service which cost \$1,000.00 or more in labor and supplies to restore;
- c. All incidents of criminal mischief against any church, synagogue, mosque, or other place of worship;
- d. Criminal mischief evidencing prejudice or bias, (hate crime), as per [775.085 FSS](#).
- e. If there is suspect information and the victim wishes to pursue charges, then the member will complete a written report and take appropriate enforcement action.
- f. The officer will provide the victim with a business card and/or a victim rights pamphlet with the assigned case number and the member's name.
- g. The member will be responsible for advising dispatch of the damage value for Uniform Crime Reporting purposes. The damage amount will also be included in the narrative portion of the written report, property report, and 923.01, if there is one written.
- h. Victim will be given a Victims Rights Pamphlet. This action will also be documented in the written report.

F. Follow-up Responsibility - Patrol is responsible for criminal mischief follow-up investigations.

502.17 Death Investigations

A. Murder [782.04 FSS](#)

1. Attempted Felony Murder [782.051 FSS](#)
2. Manslaughter [782.07 FSS](#)
3. Vehicular Homicide [782.071 FSS](#)

B. Definitions

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1. **Lividity** – State of being black and blue; discoloration from venous (vein) congestion. Generally starts in about 20 minutes after death when the blood circulation stops, blood settles to the lowest portions of the body because of gravity. The first indications of lividity occur in approximately 1 hour, with full development after 3 to 4 hours.
 2. **Rigidity of the Body (Rigor Mortis)** – Stiffening of the body caused by the hardening of muscle tissue. Immediately after death, the body becomes flaccid. Biochemical changes in body muscles produce stiffening known as rigor mortis which usually appears within 2 to 6 hours after death. Rigor mortis may not be present in a death that just occurred. Rigor mortis is most notable first in the small muscles such as the jaw, fingers, etc. and is complete within 6 to 12 hours. The rigidity remains for 2 to 3 days and disappears gradually.
 3. **Decomposition** – The decay and disintegration of the body; the body will begin to turn black due to the destruction of the blood cells (lyses).
 4. **Body Temperature** – The rate of cooling depends on several factors, including body temperature at the time of death, temperature of the environment, body covering and clothing, and relationship surface area to body weight. The body temperature will continue to fall or rise until it reaches ambient temperature, which usually occurs in about 18 to 20 hours.
- C. Preliminary Responsibilities** - In situations where any incident occurs in Palm Bay, but the victim is transported outside of Palm Bay (Holmes, Wuestoff, etc.), and they expire as a result of the incident in Palm Bay; this agency will respond to the location and assume the investigation. If it is outside of Brevard County, the supervisor will determine how to respond.
1. **Attended Death** - Any death where the deceased was under the care of a doctor at the time of death. This does not necessarily mean that a doctor was present at the time of death. The attending doctor must be licensed in the State of Florida and must be willing to sign the death certificate and the Medical Examiner waives the case and releases the body.
 2. **Unattended Death** - Any death occurring unexpectedly where the deceased was not under continuous medical treatment for the disease or condition believed to be the cause of death. This also includes if the doctor refuses to sign the death certificate for any reason or if the primary care doctor for the victim is licensed in another state or the Medical Examiner refuses to waive the case (ex. There will be an autopsy conducted).
 3. **Hospice Deaths** - A hospice death is a pre-registered death where the deceased was diagnosed as being terminally ill and the attending physician has agreed to sign a death certificate prior to the actual demise of the subject.

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- a. Hospice deaths are treated as attended deaths. A nurse from the hospice program is sent to each hospice death to verify the circumstances of death and dispose of any medication. The officer will respond to the scene to ensure the Hospice paperwork appears valid and that there are no obvious signs of suspicious circumstances. If the paperwork appears valid and there is no evidence of any suspicious circumstances, no report is required.
 - b. No follow-up required.
- 4. **Natural Causes** - Deaths from natural causes can be either attended or unattended. Upon arriving at the scene, the officer will adhere to the following guidelines.
 - a. Verify the person is deceased. Some obvious signs of death include lividity, rigor mortis, decomposition, and body temperature (cold to the touch). If there is any doubt the person is deceased, the officer is to summon medical assistance and render aid to the person. Should the victim be in a state of obvious death there is no need for emergency medical personnel or other on scene personnel to check the victim to verify death.
 - b. Absent obvious signs of death, if medical personnel need to enter the scene to check the victim to verify death they will be escorted by an officer. This is to maintain and protect the crime scene to preserve the integrity of the evidence.
 - c. Examine the body and surrounding area to see if there is any indication of foul play. If foul play is suspected, a supervisor should be summoned and the incidents should be treated as a homicide.
- 5. **Interview** - The officer will interview the complainant and any witnesses to determine a probable cause of death. Questions to ask include:
 - a. Did the deceased complain of pain or discomfort prior to death?
 - b. Did the deceased have a history of medical problems?
 - c. Was the deceased under a doctor's care for any reason? If so, which doctor and what was the reason?
 - d. Was the deceased taking any medication? What kind, what does it do, and where is it located?
 - e. When was the deceased last seen alive? Who saw them? Where were they seen? What were they doing?

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- f. When was the deceased last seen by a doctor?

D. Attended Deaths - Refer to [GO 213](#) for response modes.

1. If the physician will sign the death certificate, and the M.E.'s office has released the deceased, the family may make arrangements for transport to a funeral home. The original case officer will complete an Offense Incident Report and submit it to the supervisor for review. The report will then be forwarded to Records Unit.
 - a. The Medical Examiner's office will be informed of the death and the doctor's willingness to sign the certificate. No other action is required by the M.E.'s office.
 - b. If the physician refuses to sign the death certificate, the officer will notify the M.E.'s office. The M.E.'s Investigator will contact the physician and obtain additional information and advise the officer if the physician will sign the certificate, the ME's office will release the body, or if the M.E.'s office will handle the case.
 - c. If the case is being handled by the Medical Examiner's office, the officer will then contact the on duty/call Investigator, after gaining approval from his supervisor, and request them to respond to the scene.
 - d. The M.E. Investigator will arrange for transporting the body to the morgue.

E. Unattended death - The M.E.'s office and the on duty/call Major Case Unit Detective will be notified. [OMA 602](#)

1. The M.E. Investigator may respond to the scene and conduct an investigation. The M.E. investigator will arrange for transportation of the body to the morgue.
2. An Investigator will respond to the scene.
3. The officer is responsible for completing an Offense /Incident Report. The report will:
 - a. Describe the actions of the officer, listing who was contacted, the basic information gathered, and the disposition of the deceased's personal property, if any, (i.e. turned over to next of kin, locked in residence, accompanied body to morgue).
 - b. Prior consultation with the Investigator and or ME Investigator will be done before any disposition of the property.

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F. Accidental Deaths - All deaths resulting from accidental injuries are investigated by both the MCU and the Medical Examiner's office [OMA 602](#).

1. An officer will be dispatched to all accidental death scenes. Upon determining that it is an accidental death, the officer will notify the M.E.'s office and the on duty/call Investigator through their supervisor. An Investigator and a Crime Scene Technician will be dispatched to the scene.
2. The officer will secure the scene and begin a crime scene log until the investigators arrive. The officer will provide assistance if requested.
3. The officer will be responsible for completing an Offense/Incident Report detailing the circumstances surrounding the death. A complete listing of all witnesses will be included with the report as well as a brief summary of any witness statements.

G. Traffic Fatalities - All deaths resulting from traffic crashes will be investigated by a traffic homicide investigator and the Medical Examiner's office.

1. Response Type

- a. Not in Progress - Routine response
- b. Just Occurred - Emergency response

2. Traffic Fatality Investigation [OMA 506](#)

H. Suicides [OMA 602](#)

1. Response Type [GO 213](#)

- a. Verify the person is deceased. Some obvious signs of death include lividity, rigor mortis, decomposition, and body temperature (cold to the touch). If there is any doubt the person is deceased, the officer will request medical assistance and render aid to the subject. Should the victim be in a state of obvious death there is no need for emergency medical personnel or other on scene personnel to check the victim to verify death.
- b. Absent obvious signs of death, if medical personnel need to enter the scene to check the victim to verify death they will be escorted by an officer. This is to maintain and protect the crime scene to preserve the integrity of the evidence.

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2. If the person is clearly deceased, under no circumstances should the member allow anyone other than the M.E. or investigators to move the body. This includes medical personnel.
 3. Secure the crime scene and begin a crime scene log. Additional officers will be summoned if required to maintain crime scene integrity. If a weapon is involved in the death, the officer will ensure that it is not tampered with or moved.
 4. The on duty/call Major Case Unit Detective will be notified with approval of the supervisor as soon as possible. The Investigator will be responsible for contacting the M.E.'s office, supplemental narrative, property receipts, and any detailed written witness statements.
 5. The officer will attempt to locate and identify any witnesses to the event. Separate the witnesses and obtain a brief interview.
 6. The officer will be responsible for completing an Offense Incident Report and a narrative. In the report, the officer will describe police actions at the scene, list all witnesses on persons form, and give a brief summary of what the witnesses stated.
 7. The M.E. Investigator will arrange for transportation of the body to the morgue.
 8. Follow-up is the responsibility of the Major Case Unit.
- I. Homicides** - All responses will be in emergency mode.
1. Verify the victim is deceased. Some obvious signs of death include lividity, rigor mortis, decomposition, and body temperature (cold to the touch). If there is any doubt the victim is deceased, the officer will request medical assistance and render aid to the subject. Should the victim be in a state of obvious death there is no need for emergency medical personnel or other on scene personnel to check the victim to verify death.
 2. Absent obvious signs of death, if medical personnel need to enter the scene to check the victim to verify death they will be escorted by an officer. This is to maintain and protect the crime scene to preserve the integrity of the evidence.
 3. If the victim is clearly deceased, under no circumstances should the member allow anyone other than the M.E. or investigators to move the body. This includes medical personnel.

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4. Secure the crime scene and begin a crime scene log. Additional officers will respond if required to maintain crime scene integrity. If there is a weapon present, the officer will ensure that it is not tampered with or moved.
5. The officer will contact the Patrol supervisor. The supervisor will direct dispatch to have the on duty/call Investigator, Crime Scene Tech, the on-call Staff Duty Officer and additional personnel as provided in Emergency Notification and Call Out [GO 303](#) to respond. The Investigator will be responsible for contacting the M.E. investigator and the State Attorney's Homicide Investigation Team.
6. The initial responding officer will be responsible for completing an Offense Incident Report and maintaining a crime scene log. In this log, the officer will note the name of anyone entering the crime scene, the time of entry and exit, and if they removed any items from the scene. All other officers on the scene will be required to complete a supplemental narrative.
7. Additional responding officers will attempt to identify and locate any witnesses to the event. The officers should separate the witnesses and obtain an initial written statement from each witness. No witnesses will be released from the scene until authorized by an Investigator.
8. Any officer receiving suspect information will immediately relay such information to the lead Investigator or supervisor. It will be the responsibility of the lead Investigator or supervisor to coordinate the dissemination of the information to other officers and neighboring agencies.
9. If there is reasonable suspicion to believe a subject was involved in the crime and the subject is located, officers are to detain for questioning by Investigators. Officers will not ask any questions or read any Miranda Warnings unless advised to by the lead investigator.
10. Follow-up responsibility will be done by the Major Case Unit.
11. **Specific Required Forms** - Offense Incident, Persons Report, Narrative, and Crime Scene Log.

502.18 Death Notifications

A. Response Type - Refer to [GO 213](#)

B. Preliminary Responsibilities

1. Two officers will be present when death notifications are made.
2. Officers will make every effort to deliver death notices in a professional, courteous manner.

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3. The use of clergy or Department Chaplin should be considered to assist the family.
4. If the next of kin is known to be elderly or in bad health, officers should make arrangements for Rescue personnel to stand by or at least be informed of the address should they be needed.
5. The officer will inform the next of kin of the location of the deceased and who to contact. The officer should strongly recommend that the person call a taxi or get a friend to drive them when responding to the hospital or morgue.
6. If another agency is requested to make a death notification by us, the request will be sent by teletype. The request will specify the person to be contacted, address if known, the officer's name requesting the notification, and the name and complete phone number of who the family members should contact for further information, (i.e. Medical Examiner's office, HRMC, etc.).
7. Follow-up - In most cases follow-up is not necessary.
8. Report Forms Required - No report is necessary in most cases.

502.19 Disturbances

A. Unwanted Subjects

1. **Response Type** - Responses will be in routine mode unless there is a likelihood of violent behavior.
2. **Trespass in structure or conveyance** [810.08 FSS](#)
 - a. Trespass on property other than Structure or conveyance. [810.09 FSS](#)
 - b. Trespass on school property with Firearm or other weapon. [810.095 FSS](#)
 - c. Trespass upon the grounds of a school. [810.097 FSS](#)
3. **Procedures**
 - a. Determine if the complainant has the authority to instruct subjects to leave the location.
 - b. Determine if there are any weapons involved, either seen or implied.

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- c. Determine if alcohol or controlled substances are involved.
- d. Determine the nature of the complaint. Is the person causing a disturbance? Does the person have the legal right to be at that location? Has the person been instructed to leave the location by the owner or agent? Are any criminal offenses being committed?
- e. If the subject refuses to leave at the request of the owner or agent, they are subject to arrest for the offense of Trespass. The victim's statement must specify their authority to instruct the subject to leave, the approximate number of times the subject was instructed to leave, and the subject's response, The statement must also specify if the victim wishes to press criminal charges.
- f. If the subject agrees to leave at the owner's request, you should offer to complete a Trespass after Warning form. The form should be explained to both parties so there are no misunderstandings.
- g. **Follow-up Responsibilities** - Patrol officers will be responsible for conducting follow up investigations if needed.
- h. **Specific Required Forms** - Offense Incident, Narrative, 923.01 and Cost Recovery Form (if arrest made) and TAW, (if completed)

B. Disturbance (Labor Disputes)

1. Response Type - Refer to [GO 213](#)

2. Procedure

- a. The officer's function will be to maintain peace and order.
- b. Enforcement will be for violations of criminal statutes and ordinances.
- c. Officers will not show preference nor take sides in the dispute. Officers should avoid any actions which could be misconstrued by either party as showing favoritism.
- d. The officer will protect the rights of involved parties and the general public.
- e. The officer will ascertain if an injunction for protection is in effect. If so, the conditions set forth will be enforced.
- f. The officer will attempt to identify a spokesperson for each party and coordinate the resolution through these persons.

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- g. The officer will not discuss the merits of the dispute with any involved parties or the press.

3. Follow-up Responsibilities - Patrol officers will be responsible for conducting follow up investigations if needed.

4. Specific Required Forms - If a report is warranted, Offense Incident, Narrative, Persons, and a TAW (if completed)

C. Disturbance (Civil Disputes)

1. Response Type - Refer to [GO 213](#)

2. Procedure

- a. Officers may be dispatched to calls for service requesting an officer to "stand by" for parties to a civil action.
- b. Officers responding to this type of call should not become unnecessarily involved in civil disputes and should advise the parties to seek the advice of legal counsel. The officer should not provide legal advice.
- c. Officers will not assist in the removal of property or personal items in a civil dispute situation. Officers may stand by for the purpose of allowing parties to remove property or personal items. Officers should limit their stand by time to 10 - 15 minutes. The supervisor will be contacted if extra time is needed.
- d. If there is a dispute over ownership of a particular item, proof of ownership should be requested. If no proof of ownership is available the item will remain in place.
- e. Typically, standbys will only be conducted between the hours of 0800-1400hrs. If there is a court order or with supervisory approval, standbys may be conducted at any time.

3. Follow-up Responsibilities - The officer is responsible for conducting any follow-up if needed.

4. Required Forms - In most instances reports are not required unless a criminal allegation or likelihood of repeat calls is indicated.

D. Disturbance (Civil Disorder)

1. Response Type - Refer to [GO 213](#)

2. Affrays and Riots [870.01 FSS](#)

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- a. Unlawful Assembly [870.02 FSS](#)
- b. Riots and Routs [870.03 FSS](#)
- c. Specified officers to disperse riotous assembly [870.04 FSS](#)

3. Procedure

- a. A minimum of two officers and a supervisor will be dispatched to all civil disorder calls. Any requests for additional units should be made by the supervisor on scene. In the event the supervisor is not on scene at the time the request is made, the requesting officer should advise the supervisor of the situation and provide an estimate of the number of people involved.
- b. Upon arrival at the scene, officers will park and secure their vehicles away from the crowd to avoid incident of criminal mischief when able. All firearms that would be left unattended that are not in a locked rack, (i.e. rifles), will be secured in the trunk of the vehicle.
- c. Officers will operate in pairs while on civil disorder calls. Under no circumstances will an officer enter a crowd without another officer present.
- d. The USD Commander or designee approval is required prior to using canine units for crowd control.
- e. When responding to the area officers will position themselves as instructed by the command officer.
- f. Officers will not completely surround the crowd. An avenue of escape will be left open to allow any participants to leave the area. This avenue of escape will be determined by the command officer.
- g. Officers will attempt to locate those individuals responsible for inciting the crowd. If possible and probable cause exists, those persons should be separated from the crowd and placed in custody.
- h. If an arrest is made, the arresting officer and partner will immediately leave the crowd and secure the subject in a protected squad car. Under no circumstances will a prisoner be left unattended in a police vehicle.
- i. In the event we are requested to assist another agency, the supervisor will select officers to respond. Only those selected officers may respond to the area. The on-call Staff Duty officer will be notified of the situation.

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- j. Officers responding to assist another agency will meet at an area away from the scene and pair up with another officer from our agency. Officers will arrive on the scene in two man cars. Under no circumstances will an officer leave his partner.
- k. The primary officer assigned to a civil disturbance call will be responsible for completing a report for the incident. All other officers on the scene will complete a supplemental narrative detailing their observations and actions.

4. Follow-up Responsibility - Patrol officers will be responsible for conducting follow up investigations if needed.

E. Disturbance (Noise Disturbances)

1. Response Type - Refer to [GO 213](#)

2. Procedure

- a. Prior to arrival, officers will attempt to gather the following sources of information
- b. The complainant
- c. The source of the noise and the responsible party.
- d. If it is determined that this is an ongoing violation and the violator was identified and previously warned, charges may be necessary.
- e. The following calls for service will be handling as stated:
- f. **Noise Disturbance with an anonymous complainant** - An Officer responds to the area and will attempt to locate the source. If the noise cannot be located, the officer will clear the call, "unable to locate the noise".
- g. **Noise Disturbance with an identified complainant** - An officer responds and meets with the complainant and explains the FSS concerning disturbing the peace. If the reporting person wishes to pursue charges; the member will have them complete a sworn statement if the complaint is founded. If it is warranted, the member will enforce the FSS concerning disturbing the peace.
- h. **Noise Disturbance with an Identified noise and/or violator** - When the source is located and identified; the officer will educate him or her by explaining the FSS regarding disturbing the peace.

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- i. **Noise Disturbance involving animals** - Animal Control will be notified to investigate.
 - j. In situations where the victim wishes to pursue charges, a full case report must be completed.
 - k. In cases involving businesses, someone must be designated as in charge. A business cannot be charged with a violation of crime.
 - l. Members cannot be victims of the noise violation.
 - m. The officer must verify that the violation of noise was coming from the said premises and not from somewhere else, (loud car, another residence, etc.).
 - n. If the suspect has previously been charged or warned with a noise ordinance violation, this must be included in the report.
- 3. Report Requirements** - An Officer will complete a written report if the victim wished to pursue charges.
- a. Officers are encouraged to locate other witness's and/or victims and provide them with a statement forms.
 - b. Officers will turn in completed statement forms and take any legal action if there is a violation of the law.
 - c. A written report is not necessary if an officer can resolve the issue on scene.
 - d. An Officer will always enter the identity of the victim, noise, and violator in CAD along with a short disposition.
 - e. Officers may need to follow up to ensure compliance of the law.
 - f. Officers are encouraged to take appropriate action if the violator continues the noise.
- 4. Follow-up Responsibility** - Patrol officers are responsible for follow-up investigation.
- 5. Specific Required Forms** - If charges or an arrest are made, Offense Incident, Narrative, Persons Form, 923.01 and Cost Recovery Affidavit.

502.20 Forgery [OMA 602](#)

A. Response Type - Refer to [GO 213](#)

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If they request to see an officer, an officer or Desk Booking Specialist will respond to meet with them either in the building or at their location if they cannot respond to the station.

B. Forgery [831.01 FSS](#)

1. Uttering forged instrument [831.02 FSS](#)
2. Criminal Use of Personal Information

C. Procedure

1. Obtain the original document when possible. Place it into evidence, being sure to handle it as little as possible. Forward photocopies of the original (front and back), with the incident report. Copies are acceptable as evidence only if accompanied by a notarized statement from the usual custodian, that the originals will not be available at the time of trial (e.g. lost, destroyed).
2. In most cases, the member handling the initial report should obtain a forgery affidavit for each document alleged to have been forged. These affidavits should be submitted with the original report. Often banking institutions are the complainant, (or co-victim), and they will supply the initial reporting member with copies of notarized forgery affidavits. It is acceptable to include copies of these as long as the institution agrees to provide the originals to the States Attorney's Office upon request.
3. Statements from the victim should be obtained. When the member contacts the victim, a statement should be obtained concerning how the check, debit card, or credit card was stolen or lost, or if the victim knows any possible suspect information.
4. Statements from witnesses should be obtained. When taking the original report, obtain witness information noting the employees/clerks who accepted the check, credit card or debit card transaction and who, if anyone wrote on the forged document. A sworn/notarized statement from the individual who accepted the document and delivered the service, merchandise, or cash to the suspect. The statement should contain the following:
 - a. That the suspect presented check number, credit card receipt number, etc., in the amount of money to the clerk.
 - b. That the suspect received cash, merchandise, service, or a thing of value, in exchange for the forged document.

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- c. What kind of identification was used by the suspect?
- d. Did the clerk/teller write the identification information/number on the forged document?
- e. Did the clerk/teller compare the picture on the identification used with the person presenting the forged document?
- f. Did the clerk/teller check the signature on the identification used by the suspect with that on the forged document?
- g. Does the clerk/teller check the picture and signature on identification presented as a regular practice?
- h. If at a bank, was the transaction completed at the drive-in or inside the bank lobby?
- i. Was the forged document written, signed, or presented in the presence of the clerk/teller?
- j. Indicate in your report whether videotape or photographs are available of the suspect and/or transaction.
- k. Has the victim notified the bank that the check was drawn on? Prior to the police taking the original check, the bank needs to process the check.
- l. Who is the victim of the theft? Who cashed the check? Was the check cashed in the City of Palm Bay?
- m. Attempt to obtain the original check or receipt if credit/debit card was used.
- n. We need an affidavit of forgery in order to investigate or prosecute a forgery complaint. The exception would be if the victim of the forgery is deceased, incapacitated, or cannot be located by police.

D. Follow-up Responsibility - All forgery and/or uttering forged instrument cases will be followed-up by Criminal Investigative Division.

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- E. Specific Required Forms** - Offense Incident, Narrative Continuation, Persons Report, 923.01 or Arrest Warrant Packet, Cost Recovery Affidavit (if arrest is made), [Forged Signature Affidavit](#), [Teller Affidavit](#).

502.21 Financial Crimes Reporting General

A. Internet, Within the City and Outside the City Financial Crimes

1. When a complainant requests a response or comes to the lobby to report a fraud, the officer should provide them with a fraud packet with the call for service (CFS) number written on it. A report number (DR#) should not be generated until the fraud packet is completed and returned to an officer. Completed packets should be turned in to Records, any evidence related to the investigation should be treated accordingly and turned in to Property and Evidence. Photo copies of the evidence may be attached to the fraud packet and turned in with the original report. If the victim is adamant about having a written report completed, the officer will complete a written report detailing as much information as possible that is provided by the victim. It is imperative the officer notes that financial loss amount and the location the fraud occurred.

- B. IRS Tax Return Fraud Victims** - Generally, the IRS is directing the victim to file an Identity Theft Report with their local agency regarding someone else already using their personal information. In these situations, the member will complete an identity theft report and provide them with a DR number. The Fraud Package is not needed.

502.22 Hazardous Material Incidents

A. Response Type - Refer to [GO 213](#)

B. Disposing of lighted substances [590.10 FSS](#)

1. Recreational fires [590.11 FSS](#)
2. Intentional or reckless burning of Lands [590.28 FSS](#)
3. Florida litter law [403.413 FSS](#)

- C. Procedure** - Any incident which encompasses hazards which involve toxicity, flammability, radiological hazards, corrosives, explosives, and any other situation that is deemed to be hazardous to the safety of the public will be responded to with utmost caution. Once the incident is controlled and made safe, it is important to determine whether or not criminal charges may be applicable. In order to accomplish this task, it is necessary that the Fire Department's Hazardous Materials Response Team and a CID Investigator be contacted to complete a thorough investigation.

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1. An officer will respond to all complainants of hazardous material incidents. Hazardous material incidents include but are not limited to the following:
 - a. Illegal dumping;
 - b. Plane crashes;
 - c. Crashes involving placarded vehicles. (The absence of a placard does not eliminate the possible presence of a hazardous material being transported.) [GO 506](#)
 - d. Train crashes;
 - e. Flammable liquid spills exceeding 30 gallons;
 - f. Confirmed structure fires where storage of hazardous materials exist; and
 - g. Incidents that have a likely presence of hazardous materials.
2. The officer will be advised of the exact nature of the incident when dispatched. The officer should also request the wind direction and velocity. The officer will choose an approach route that is upwind of the incidents location.
3. Upon the officer's arrival in the area, he will observe the scene from a safe distance and apprise the supervisor of the situation.
4. The supervisor will be responsible for contacting the Fire Department and request the Hazardous Materials Response Team to be activated. In addition, the supervisor will contact the Emergency Management Coordinator and email the information to cleanwater@pbfl.org.
5. Officers on the scene will be responsible for the following duties:
 - a. Traffic control
 - b. Restricting access into the area to emergency vehicles
 - c. Evacuation of civilians if necessary.
6. If the fire and/or police commander believes that a danger to the general public exists, they will immediately contact their respective supervisors utilizing the chain of command. It is within the purview of any staff level supervisor to activate the City of Palm Bay disaster plan, (CEMP), if they feel that a general public danger exists.

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7. They will determine if criminal charges are to be filed.
 8. A federal or state agency may respond to conduct their investigation. In these situations, the investigators assigned to the investigation will assist those agencies when appropriate and conduct our own parallel investigation.
 9. The Emergency Response Guidebook for Initial Response to Hazardous Materials online version will be utilized to determine the hazardous materials involved and the precautions to be employed in handling such materials.
 10. The primary officer will be responsible for completing an Offense/Incident report. The report will detail the parties responsible for the Haz-Mat incidents, the nature of the incidents, (train derailment, vehicular crash illegal dumping, etc.), the material involved, and any actions taken
 11. All officers involved in hazardous material incidents will complete an Incident Exposure Form.
- D. Follow-up Responsibility** - Major Case Unit will be responsible for conducting follow-up investigation, if requested by the Fire Marshall and no State or Federal agency is investigating.

502.23 Kidnapping [OMA 602](#)

A. Response Type - Refer to [GO 213](#)

B. Kidnapping [787.01 FSS](#)

1. False Imprisonment [787.02 FSS](#)
2. Luring or enticing a child [787.025 FSS](#)
3. Interference with Custody [787.03 FSS](#)
4. Removing minors from State or Concealing minors [787.04 FSS](#)
5. Aiding unmarried minor runaways [984.085 FSS](#)
6. Child born out of wedlock, (natural Guardian) [744.301 FSS](#)

C. Preliminary Responsibilities

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1. All incidents require a minimum of two officers to respond. The supervisor will coordinate with other units to respond to major intersections within the city in an attempt to locate the victim and suspect.
2. The first officer on the scene will be responsible for gathering a description of the kidnapped party and the suspect, including any vehicles involved. This information will be broadcast to all other units and relayed to surrounding agencies as well.
3. A search of the immediate area will be conducted to determine if the victim and/or suspect are still in the area.
4. Officers on the scene will cordon off the area to preserve the crime scene.
5. After the scene is secured, officers will attempt to locate any witnesses to the incident. Any witnesses located should be prevented from conversing with other persons as this could contaminate their information. Witnesses should be provided with statement forms and asked to write out what they saw as soon as possible. Additional clarifying questions can be asked at a later time.
6. The family should have an officer assigned as a liaison until relieved by another authority, (i.e. detective or other officer). This officer should remain with the family at all times.
7. It is the responsibility of the supervisor to contact the on-call Staff Duty Officer who will make additional notifications.
8. Kidnapping of children (Child Abduction): Amber Alert- If the kidnapping of a child exists, to include family abductions, and the investigation reveals the child's life is in immediate danger; an Amber Alert will be issued (Refer to Florida Amber Alert Plan brochure). This will be done by the Patrol supervisor or designee.

See **GO228** for details of the response to child abduction cases.

D. False Imprisonment

1. A minimum of two officers will be dispatched to investigate all complaints of false imprisonment. If the call was not dispatched as a false imprisonment incident and the officer determines that a false imprisonment situation is or was present, the officer will call for a back-up officer if the suspect is believed to be in the area.
2. If the suspect fled the scene prior to the arrival of the officers, an area search will be conducted, if appropriate. A local BOLO should be issued to other officers so that they may assist in searching for the suspect.

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E. Custody Offenses - This area encompasses offenses of Parental Kidnapping, harboring a runaway, and interfering with parental custody.

1. A minimum of two officers will be dispatched to all reported custody offenses.
2. Investigating officers should rule out possible child abuse/neglect before continuing with the custody issue.
3. The officers will determine any legal issues involved such as: parental custody by blood relation, court appointed child custody, visitation rights, etc. If the primary officer is unsure, a supervisor should be contacted.
4. If the suspect is present or at a location where he/she can be contacted, the officer should make contact and obtain their side of the story prior to taking any action.
5. If the call involves the unlawful interference of custody, a written report will be completed.
6. Contact the Special Victim's Unit for founded parental kidnapping cases if it is suspected that the child is being taken out of the State of Florida and after approval from the supervisor.
7. If there are no legal papers awarding custody of a juvenile to a specific party, the officers will advise the parties to seek legal aid through the court system. Under normal circumstances the officer will allow the party having custody of the juvenile at the time of arrival to maintain said custody, pending legal intervention.
8. In situations where a person having no legal custody or interest in a juvenile is harboring the juvenile from the legal guardian, the juvenile will be turned over to the legal guardian. Any person hindering or interfering in the legal custody of a juvenile will be subject to arrest and the Special Victim's Unit will be contacted in regard to these cases with supervisor approval.

F. Specific Required Forms - Offense Incident, Narrative, Persons Report, Missing Person Report Form

G. Follow-up Responsibility

1. Kidnapping cases will be followed up by the Major Case Unit.
2. False Imprisonment cases dealing with children, (sexual battery, etc.), will be followed up by SVU. All other false imprisonment cases will be Patrol officer's responsibility.

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3. Child custody cases not resulting in immediate arrest or dealing with parental kidnapping will be followed up by the Special Victim's Unit.

502.24 Landlord / Tenant

A. Response Type - Refer to [GO 213](#)

B. Definitions [83.43 FSS](#)

1. Landlord's access to dwelling unit [83.53 FSS](#)
2. Prohibited Practices, (Landlord) [83.67 FSS](#)
3. Lodging/Food service establishment, (definitions) [509.013 FSS](#)
4. Lodging/Food service establishment, (conduct on premises) [509.142 FSS](#)
5. Obtaining food or lodging with intent to defraud [509.151 FSS](#)
6. Theft of personal property; detaining and arrest of violator; theft by employee [509.162 FSS](#)
7. Operator's right to lockout [509.401 FSS](#)
8. Operator's right to recover premises [509.402 FSS](#)
9. Mobile Home/Recreational vehicle parks, (definitions) [513.01 FSS](#)
10. Mobile Home/Recreational vehicle parks, (conduct on premises) [513.118 FSS](#)
11. Theft of personal property; detention and arrest of violator; theft by employee [513.122 FSS](#)
12. Recreational vehicle parks; eviction [513.13 FSS](#)
13. Breach of Peace [877.03 FSS](#)
14. Trespass in structure or conveyance [810.08 FSS](#)
15. Trespass on property other than structure or conveyance [810.09 FSS](#)

C. Preliminary Investigation

1. Since most of these cases are civil in nature, it is recommended that a capias be filed in lieu of a custodial arrest on allegations of criminal offenses

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between landlord and tenants., However, if there is a crime of violence or there is a clear violation of law and the suspect is likely to flee the state, a custodial arrest may be made.

2. Officers will complete a written report when an unwanted party is required, (ordered by the officer), to leave a dwelling upon the request of the person in control of the premises. If the unwanted party leaves voluntarily, without the officer giving a lawful order, the case may be considered a citizen assist and no report is required.
3. A person is considered a transient guest when there is no rental agreement with that person. When a police officer encounters this type of situation the officer should try to determine the purpose of the guest in the dwelling.
 - a. Factors that establish a person is a transient occupant include but are not limited to [\(FSS 82.045\)](#):
 - The person does not have an ownership interest, financial interest, or leasehold interest in the property entitling him or her to occupancy of the property.
 - The person does not have any property utility subscriptions.
 - The person does not use the property address as an address of record with any governmental agency, including, but not limited to DHSMV or the Supervisor of Elections.
 - The person does not receive mail at the property.
 - The person pays minimal or no rent for their stay at the property.
 - The person does not have a designated space of their own, such as a room, at the property.
 - The person has minimal, if any, personal belongings at the property.
 - The person has an apparent permanent residence elsewhere.
4. If the guest is there on a temporary basis, an officer may assist the landlord or lessee in removing the guest from the property.
5. **Removal of Parties** - In the event an officer is called to a disturbance, and determines that it would be best to remove one of the parties in order to defuse the situation, the officer should use care in determining whether one of the parties may be removed.

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- a. Determine who has a legal right to remain on the premises. It is not sufficient by itself to be listed as a tenant. The named tenant must be willing to execute a TAW prior to any enforcement action being taken. The officer must also consider any documents provided by the unwanted party such as rent receipts, payment receipts, utilities in their name, mail received at that location, etc.
- b. If the unwanted party provides any information to indicate that they are a resident, the officer should refer the parties to the civil eviction process.
 - Information MAY include but is not limited to a written lease agreement OR a verbal lease agreement with proof that rent is being paid (receipts). Payment must be for rent only and cannot include other compensatory forms of reimbursement including food stamps or other non-cash payments.
- c. If the officer is unable to determine who has the right to remain on the premises, then no action should be taken to remove either party unless sufficient probable cause exists to make a custody arrest for a criminal offense.
- d. Officers should only physically remove a person from the residence if;
 - There is clear evidence that the party is merely a visitor, and the party with a possessory right has executed a TAW or;
 - The officer has probable cause to make an arrest for a crime.
6. Failing these two situations, officers should not take any action to remove any party from the scene.
7. Determine if any party has a possessory interest.
8. If the unwanted person is a transient guest see if they will vacate the dwelling willingly.
9. If the unwanted party is a transient and refuses to vacate, and the landlord demands removal, have a TAW completed and take appropriate action.
10. A written report will be completed by the officer if the unwanted party is required to leave and any enforcement action is taken.

D. Prohibited Practices (Under [Chapter 83, FSS.](#))

1. Landlords of dwelling units are prohibited from directly or indirectly causing the interruption of any utility furnished to the tenant.

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2. No landlord of any dwelling unit will prevent the tenant from gaining access to the dwelling by using a boot lock or similar device, changing the locks, etc., unless a legal eviction has been completed.

E. Hotel/Motel Landlord/Tenant - [Chapter 509, FSS](#). - Lodging and Food Service Establishments, Membership Campgrounds

1. **Removal of Guests** - The operator may remove or cause to be removed any guest of the establishment who:

- a. Illegally possesses or deals in controlled substances as defined in [chapter 893](#)
- b. Is intoxicated, profane, lewd, or brawling.
- c. Uses any language or conduct which disturbs the peace and comfort of other guests or which injures the reputation, dignity, or standing of the establishment.
- d. Fails to make payment of rent at the agreed-upon rental rate by the agreed upon checkout time.
- e. Fails to check out by the time agreed upon in writing by the guest and public lodging establishment at check-in, (unless an extension of time is agreed to by the public lodging establishment and guest prior to check-out).
- f. The operator will notify the guest that they are no longer welcome and request that the guest immediately leave
- g. Notice may be given orally or in writing. If the notice is in writing it will be as follows:
 - "You are hereby notified that this establishment no longer desires to entertain you as its guest and you are requested to leave at once. To remain after receipt of this notice is a misdemeanor under the laws of this state."

F. Officer's Responsibility - It is the duty of the officer, upon request, to arrest any guest who, in the presence of the officer, remains or attempts to remain in any establishment after being requested to leave by the establishment.

1. An officer may arrest, either on or off the premises of the licensed establishment and without warrant, any person the officer has probable cause to believe violated 877.03 FSS, (Breach of Peace; Disorderly Conduct), on the premises and, in the course of such violation, created a threat to the life or safety of the person or others.

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2. Any officer may arrest, either on or off the premises and without warrant, any person if there is probable cause to believe that person has committed theft in a public lodging or public food service establishment.
3. Determine the reason for the requested removal of the unwanted guest.
4. Determine that the operator has requested the guest to leave the premises, preferably in the presence of the officer.
5. Complete a TAW and have the operator sign it, and issue a copy to them. Also have the guest sign the affidavit if possible.
6. Escort the guest from the property, unless an extension of time is given by the operator.
7. The establishment may have to return any unused portion, (prorated), of an advance payment by the guest.

G. Recreational Vehicle Park/Mobile Home Landlord/Tenant, [Chapter 513, Fla. Statutes](#) - Mobile Home and Recreational Vehicle Parks.

1. Removal of Guests - The operator of any recreational vehicle park may remove or cause to be removed any transient guest of the park who, while on the premises of the park, illegally possesses or deals in a controlled substance as defined in chapter 893 or disturbs the peace and comfort of other persons; who causes harm to the physical park; or who fails to make payment of rent at the rental rate agreed upon and by the time agreed upon. The admission of a person or the removal of a person from, any recreational vehicle park will not be based upon race, color, national origin, sex, physical disability, or creed (513.13(1)).
2. The owner or agent will notify such guest that they are no longer welcome and request that they immediately depart from the park. Such notice will be given in writing. If such guest has paid in advance, the park will, at the time notice is given, tender the unused portion of the advance payment to the guest.

H. Officers Responsibility - It is the duty of the officer, upon request of the owner/agent, to arrest for violation of this section any guest who violates [513.13\(1\)](#) or [513.13 \(2\)](#) in the presence of the officer.

1. Any officer may arrest, either on or off the premises and without warrant, any person if there is probable cause to believe that person has committed theft in a recreational vehicle park (See [F.S. 513.122](#)).
2. Determine the reason for the requested removal of the unwanted guest.

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3. Ensure that the operator has provided a written notice to the guest to vacate the premises.
 4. Complete a TAW and have the operator sign it, and issue a copy to the unwanted guest. The guest should sign the Trespass Warning, if possible.
 5. The establishment may have to return any unused portion, (prorated), of an advance payment by the guest; however, officers will not force any party to make payment or refund.
 6. If the guest is arrested for violation of 513.13 (1) or 513.13(2), the operator is responsible for the security of personal property not accompanying the defendant.
 7. Arrangements should be made for the guest to recover his property at a later time to prevent a future disturbance, unless the operator is going to file a Writ of Distress, pursuant to 513.151(2) FSS, against the guest.
- I. Specific Required Forms** - If warranted, Offense Incident, Narrative, Persons Report, 923.01 and Cost Recovery Affidavit (if arrest made or charges filed), and TAW if completed.
- J. Follow-up Responsibility** - Patrol officers are responsible for follow-up investigations.

502.25 Loitering & Prowling

A. Response Type - Refer to [GO 213](#)

B. [FSS 856.021](#)

C. Preliminary Investigative Responsibilities

1. Officers responding to calls-for-service/or witnessing behavior consistent with Loitering and Prowling must consider the factors that present alarm or immediate concern for the officer.
 - a. Reasonable concerns why persons are at the location at that time. (Inconsistent with law-abiding people)
 - b. Reasonable concerns why persons behave in the manner observed. (Inconsistent with law-abiding people)
2. Factors to consider in determining whether a person is loitering or prowling include the following.

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- a. The person takes flight upon appearance of a law enforcement officer,
OR
 - b. The person refuses to identify their self, OR
 - c. The person manifestly endeavors to conceal himself or any object.
3. With one of these factors present or other substantial explainable circumstances that cause alarm or immediate concern, officers will read the person their constitutional rights prior to affording them an opportunity to dispel the officer's alarm or immediate concern.
 4. Officers will exercise a reasonable effort to substantiate and/or contradict the person's statement regarding their identity, purpose at the location, and behavior.
 5. When encountering situations that do not satisfy the loitering or prowling statute and its requirements, officers will ensure all subjects involved are entered in the CFS after they are run for warrants.
 6. The officer may request that the subject submit to a DNA swab.
- D. Specific Required Forms** - If report required, Offense Incident, Narrative, Persons Report, 923.01/Cost Recovery Affidavit (if arrest made)
- E. Follow-up Responsibility** - Patrol officer will be responsible for conducting any required follow-up.

502.26 Missing/Endangered Adults - Refer to [GO 227](#) or [GO 228](#)

502.27 Overdose [OMA 602](#)

A. Response Type - Refer to [GO 213](#)

B. Preliminary Responsibilities

1. A minimum of two officers will be dispatched to all reported overdose incidents.
2. On arrival, officers will attempt to make contact with the subject.
 - a. If the subject is in an accessible location, the officers will check the physical well-being of the subject to determine if there are any indications of drug overdose.
 - b. If officers are unable to gain access, they will request supervisory approval to force entry.

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3. The only time an officer may cancel the emergency medical personnel to a reported overdose is when the location has been checked and verified that there is no one there.
 4. The primary officer will be responsible for following the ambulance to the hospital and completing the necessary paperwork for an involuntary admission for psychiatric evaluation, (Form 52). In some instances, the physician will Baker Act the subject and complete the required forms.
 5. A written report will be completed on all founded overdose incidents or those incidents where forced entry was made.
 6. If forced entry was made, officers will attempt to secure the structure or have a family member respond to take possession of the location prior to clearing the scene.
 7. Officers should be aware that any person found to have knowingly assisted another in attempting to commit suicide by overdose will have committed a felony offense and be subject to arrest.
 - a. When suspicion or probable cause for "Assisting Self Murder", the duty/on-call MCU Investigator will be notified to assume the investigation.
 - b. The supervisor must approve this prior to contact being made to any MCU personnel.
 8. In those instances where officers arrive and the subject is deceased from an alleged overdose, the supervisor will be contacted to approve the notification to MCU and Crime Scene.
- C. Specific Required Forms** - Offense Incidents, Narrative, Persons Report, Baker Act Form
- D. Follow-up Responsibility** - the Major Case Unit will be required to conduct follow-up investigations when the subject is deceased and it is believed to be from an alleged overdose. Other than the above, Patrol officers will conduct follow-up if appropriate.

502.28 Panhandling

A. Response Type - Routine response

B. Definitions - City Ordinance 70.06

1. **Solicitation** - Any activity taking place on a state, county, or municipal right-of-way within the city wherein an individual or individuals are intentionally intermingling with

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motor traffic for the purpose of obtaining support for any event, issue, organization, or any other purpose for which support may be solicited. "Solicitation" shall include, but not be limited to, seeking donations of funds from motorists, seeking signatures from motorists, passing out literature to motorists, and any other activity wherein a pedestrian approaches a motor vehicle while the motor vehicle is being operated and/or stopped on a state, county, or local right-of-way within the city. For the purpose of this section, "solicitation" shall not be construed to mean activities whereby pedestrians stand immediately off and/or immediately adjacent to public rights-of-way displaying signs, provided such activity does not require any physical contact between the pedestrian and motorists as previously described herein and provided such activity does not create a traffic hazard.

2. **Prohibited activity** - It shall be strictly prohibited within the city to engage in any solicitation activity on a state, county, or municipal rights-of-way within the city. It is the intent of this provision to prohibit all such solicitation activity in order to protect the public health, safety, and welfare of the citizens of the city. (Refer to **City Ordinance 70.06**)
3. **Road Right of Way** - The land in which the state, county, or municipality owns the fee or has an easement devoted to or required for use as a transportation facility to include streets, sidewalks, alleys, highways, or other ways open to travel by the public, including appurtenant drainage structures and facilities.

C. Preliminary Investigation - Evidence of solicitation must be observed by the officer as it is a violation of the City Ordinance and does not qualify as a misdemeanor exception.

If the officer observes solicitation activity as defined above, he may choose to:

1. Explain the City Ordinance and release the individual with a verbal warning after ensuring he/she does not have any outstanding wants or warrants.
2. Issue a Notice to Appear, If the individual meets the criteria.
3. Make a custodial arrest for violation of City Ordinance 70.06.

D. Required Forms (If arrest is made)

1. Offense Incident Report
2. Narrative
3. 923.01
4. Cost Recovery

502.29 Preliminary Investigations

A. General - The preliminary investigation begins when the member first arrives at the scene. This continues until a postponement of the investigation or

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transfer of responsibilities can be made without jeopardizing the successful completion of the investigation.

B. Officer Responsibilities

1. Provide aid to the injured and request personnel as required.
2. Protect the crime scene to ensure evidence is not lost or contaminated.
3. If the crime scene can be processed with digital photography and or black powder latent print lifting, the member will be responsible for the crime scene processing. This does not apply if the call requires a crime scene technician to respond. The member may request a DBS II respond and assist with scene processing.
4. Some scenes may require restriction of access and or securing the scene with crime scene tape. If there is a doubt, the patrol supervisor should be consulted.
5. Determine the identity of the suspect(s) and affect an arrest if it can be accomplished either at the scene or through immediate pursuit if the situation warrants, (e.g. homicide, robbery in progress might require an immediate arrest, however, sexual battery, child abuse, homicide not in progress, etc. might require a delayed arrest or filing charges at the termination of a lengthy investigation by CID).
6. Furnish other field units descriptions, method of transportation, direction of flight, suspect information, etc. This should be done by the appropriate means depending on elapsed time, (e.g. radio BOLO, intelligence bulletin, etc.)
7. Obtain complete identification of all witnesses and statements from each. Attempt to keep witnesses on scene to speak with an investigator if CID will be responding to the scene.
8. Collect evidence or arrange for the collection of evidence, whichever is applicable.
9. If the case is not being turned over to an Investigator, attempt to obtain a statement from the suspect(s). Keep in mind the need for Miranda Warnings if applicable. Statements may be written, audio recorded, or video recorded.
10. Accurately record all pertinent information on the appropriate report forms. The report will be free from spelling and grammar mistakes.

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11. The assigned member will be responsible for the proper disposition of the preliminary investigation. This includes the collection and preservation of evidence while the incidents are under his/her control.
12. As a general rule, preliminary investigations will be conducted by USD unless the investigation includes one of the following:
 - a. Any operation that requires the use of undercover officers.
 - b. Any other investigation where it is deemed that a uniformed officer will hamper the investigation and or apprehension of the suspect.
 - c. In the case of a homicide or suspected homicide, USD will only be responsible for protecting the crime scene and making an arrest if in fresh pursuit. CID will assume responsibility for all other aspects of the investigation.

C. Criminal Investigation Division Follow-up Responsibilities on the following crimes:

1. Unattended deaths or the death is suspicious.
2. Offenses relating to aggravated battery with serious injury, sexual battery, (all felony sexual offenses including computer and internet based sex crimes), abuse of children or the elderly.
3. Kidnapping
4. Robberies
5. Fraud/Forgery and counterfeiting.
6. Hijacking
7. Carjacking
8. Aggravated Stalking
9. Missing Persons / Child abductions (including attempts)
10. Child Pornography

D. Notification can be accomplished by:

1. Transmitting a report through routine channels where the nature of the case is not time sensitive.

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2. Expedited transmittal of the initial report, (copy straight to the Major Case Unit, Special Victims Unit or Special Operations Division depending on the type of crime), if the investigators presence is not required at the time but the case should be initiated quickly (e.g. suspects identified or case is of a grave or dangerous nature).
3. Immediate notification of MCU or the on-call detective. If a detective is called out, a copy of the initial report will be transmitted to the Major Case Unit, Special Victims Unit or Special Operations Division depending on the type of crime by the end of the shift.

E. Patrol Supervisor Responsibilities

1. The Patrol supervisor will monitor the activities of the assigned members and ensure all actions during the preliminary investigation is in compliance with departmental directives, state law, and follow accepted investigative practices. If the actions of a member under his/her supervision are inappropriate, the field supervisor will take immediate corrective action.
2. Supporting unit employees will not be called out unless there is a clear need, (i.e. a function which could not be performed by on-duty members).
3. Before a supervisor calls out an Investigator, they will ensure:
 - a. That the case is in the Palm Bay jurisdiction.
 - b. There is a task that requires specially trained personnel, (e.g. crime scene processing beyond digital photography or black powder lifting, confrontational interview with a suspect, etc.)

502.30 Protective Custody

A. Response Type - Refer to [GO 213](#)

B. Criteria for involuntary admissions [397.675 FSS](#)

1. Protective custody with consent [397.6771 FSS](#)
2. Protective custody without consent [397.6772 FSS](#)
3. Immunity from liability [397.6775 FSS](#)

C. Preliminary Responsibilities

1. **Intoxicated Persons** - FSS authorizes officers to take into protective custody any person who is intoxicated in public and appears to be in

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immediate need of emergency medical attention, or when he or she appears to be unable to make a rational decision about his or her need for care.

2. Persons who appear intoxicated, or not in control of their physical functions will be examined by the officer for a medical alert bracelet, necklace, or other visible identifying device that would specifically delineate a medical disability and would account for the person's actions. If a medical alert is found, the officer will immediately call for EMS to respond. Similarly, if there are any indications that the person may have consumed excessive amounts of alcohol or drugs, EMS will be called to evaluate the person.
3. In detaining an intoxicated person and in taking them to a treatment resource facility, the officer will proceed whenever possible with the consent of the intoxicated person. If the person is a threat to him/herself or others if not immediately confined, the member will take the person into custody under the Marchman Act. The Marchman Act form will be completed.
4. If the person appears to be incapacitated and/or refuses their consent, he or she may be taken to a hospital or other appropriate treatment resource against his/her will, but unreasonable force will not be used.
5. Taking a person into protective custody will not be considered an arrest for any purpose and no entry or other record will be made to indicate that the subject has been arrested or charged with a crime.
6. If the subject is placed into protective custody and does not meet Marchman Act requirements, the member will complete an offense report.
7. **No person will be placed in the Department holding facility for protective custody reasons only (no criminal charges).**

D. Specific Required Forms - [Baker Act](#), [Marchman Act](#)

502.31 Report Requirements (Records)

502.32 Robbery [OMA 602](#)

A. Response Type Refer to [GO 213](#)

B. Definitions [812.012 FSS](#)

1. Robbery [812.13 FSS](#)
2. Robbery by sudden snatching [812.131 FSS](#)
3. Home-invasion robbery [812.135 FSS](#)

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C. Preliminary Responsibilities

1. Determine if suspect(s) are on scene or in the immediate area. If so, deploy additional units to facilitate the containment of the suspect(s) in the area. Allow suspect(s) the opportunity to exit the business before making contact to avoid a hostage situation.
2. If the suspects have gone, provide first aid for any injured persons.
3. Secure the crime scene to preserve evidence.
4. Locate, separate, identify, and interview witnesses.
5. Relay information to the back-up units. This includes but is not limited to the following items:
 - a. Description of the weapon(s) and if it was implied or seen.
 - b. Suspect(s) physical description and any disguises.
 - c. Vehicle description and the direction of travel.
 - d. Description of property taken and how packaged.
6. Notify the supervisor what crime has occurred; if anyone is injured, and request any special assistance needed, (i.e. Crime Scene Technicians, K9, investigators, Brevard County Sheriff's Office helicopter, etc.).
7. Issue a local BOLO to other officers on duty and/or provide information to dispatch for the issuance of a countywide BOLO, when appropriate. The on-scene officer may broadcast BOLO on the County Wide channel to expedite.
8. Unless the Investigator prefers to do it, obtain a detailed written statement from the victim(s) including the victim(s) desire to prosecute.
9. If a note was used to announce the robbery, state the content and preserve the original note as evidence. If a videotape or picture exists also collect this for evidence. These items may be collected by a crime scene technician upon their arrival.
10. Request the Major Case Unit respond and assist as needed and approved by the supervisor.
11. Request a canine unit to perform a track, if available.

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D. Follow-up Responsibility - All robbery cases will be followed-up by the Major Case Unit.

502.33 Runaways [OMA 602](#) and [GO 228](#)

A. Response Type Refer to [GO 213](#)

B. Sheltering unmarried minors; aiding Unmarried minor runaways [985.731 FSS](#)

1. Protective custody with consent [397.6771 FSS](#)
2. Protective custody without consent [397.6772 FSS](#)

C. Preliminary Responsibilities

1. **On Scene Responsibilities** - Officers will follow procedures outlined in [GO 228](#) governing the reporting of missing endangered persons. These additional procedures specifically address issues concerning minors who have left their homes of their own free will and are determined to be “not at risk”.
2. Members will initiate all runaway juvenile reports. If possible, the complainant should come to the station to file the report. If the complainant is unable to come to the station, an officer will respond to the complainant's location. The following items should be obtained from the complainant:
 - a. A description of the runaway including a photograph if possible.
 - b. Reason for running away if known or suspected.
 - c. Recent problems, history of drug or alcohol abuse.
 - d. Possible destination.
 - e. Close friends or relatives where person may stay.
 - f. Prior incidents of being a runaway child and location of recovery.
 - g. Who will take custody or provide transportation once located.
 - h. Relationship to family members.
 - i. The activity the runaway was engaged in at the time the runaway was last seen.

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- j. Complete a Missing Persons Report form, which authorizes detaining the juvenile so that parents/guardians can make arrangements to pick the child up.
 - 3. The member taking the report should issue a local bolo advising other officers and agencies of the incident. This bolo will include the description of the juvenile, (including clothing), location last seen and possible destination.
 - 4. Dispatch will be contacted as soon as possible to complete required computer entries.
 - 5. Reports of runaway juveniles should only be initiated by the legal guardian of the involved juvenile. When this is not possible, it is acceptable to take the report from a temporary guardian, providing the legal guardian is notified as soon as possible and is listed in the report. When the runaway is a ward of the court or state, the assigned case worker will be listed.
 - 6. If the reporting person believes the runaway is at a location or possibly could be at several locations, the officer will travel to and investigate those locations in order to locate the runaway juvenile.
 - 7. If the DBS obtains locations as mentioned in number 6 above, he/she will notify the appropriate zone officer for an investigation of those locations.
 - 8. If the runaway has extenuating circumstances such as a medical condition or mental condition, and the incident just occurred or is in progress, Palm Bay Fire/Rescue will be notified to assist in the search.
 - 9. An Amber Alert can only be used for Runaways if the investigation determines the child's life is in immediate danger, see OMA 502.8 above.
- D. Detention** - Florida State Statutes allows officers to take into protective custody any person(s) they have reasonable grounds to believe are runaways. Pursuant to the Florida State Statutes and orders of the juvenile courts, officers **may not** incarcerate the juvenile(s) for merely being a runaway.
- 1. When a child has been detained, the officer will immediately notify the legal guardian. Placement of the child will be determined at this time. When unable to place the child in the home, DCF will be contacted for assistance and placement. Any child taken into protective custody, pending release to appropriate custodian, should **not** be held in detention facility.
 - 2. No juvenile will be held for a period exceeding six hours. If transfer of the child to the appropriate custodian cannot be made within this period, the shift supervisor will be notified.

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E. Recovered Runaways - Whenever a runaway juvenile returns home, either by their own initiative or by recovery, a supplemental report will be completed.

1. The reporting officer should contact the guardian to verify that the child has returned. The supplement to have the child removed from FCIC/NCIC should be completed within an hour. The member should also include the following items in the supplement if obtainable:
 - a. Activity of the juvenile while gone.
 - b. Location(s) the juvenile stayed while away.
 - c. The juvenile's reason for running away.
 - d. If the juvenile was recovered, the location of recovery.
2. A member will be dispatched, **with supervisor approval**, to any neighboring jurisdiction to assume custody of a runaway that was originally reported to this agency when they are recovered by another agency. Arrangements may be made to meet the agency at a location close to both jurisdictions to assume custody.
3. For runaways reported from another jurisdiction in Brevard, the reporting member will contact that agency either through dispatch or personally to ascertain if they are available to respond in the same manner as listed in 2 above. If they cannot respond, the member will ensure that the runaway is returned to a legal guardian or DCF, if the guardian is unavailable in a reasonable period of time, e.g. - out of state.

F. Specific Required Forms - Offense Incident, Narrative, Persons Report, Missing Persons Form

G. Follow-up Responsibility - SOD Youth Services officers will be responsible for conducting follow-up investigation.

502.34 Sexual Battery [OMA 602](#)

A. Response Type Refer to [GO 213](#)

B. Sexual Battery [794.011 FSS](#)

1. Unlawful sexual activity with certain minors: if victim is 16 or 17 and offender is 24 or older. [794.05 FSS](#)
2. Exposure of sexual organs. [800.03 FSS](#)
3. Lewd or lascivious. [800.04 FSS](#)

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C. Procedure - It is the responsibility of the officer to determine the emotional and physical needs of the victim and provide outside assistance from available resources to meet these needs. Of paramount importance during an investigation of this type is the departmental concern to preserve the dignity of the victim as well as identifying and prosecuting the suspect.

D. On-scene Responsibilities - Upon arrival, the officer will identify the crime scene and restrict access to appropriate personnel.

1. The officer initially assigned to respond to a sexual offense victim's location will ensure that medical care is provided when applicable. Officers will then conduct an initial, brief interview of the victim and witnesses in order to obtain the following information:
 - a. The circumstances which establish the elements of the criminal act.
 - b. A complete description of the suspect, the suspect's vehicle, and, if known, the suspect's location, direction of travel, and weapons involved.
 - c. The date, time, and location of the incidents (establish jurisdiction).
2. When appropriate, the officer initially assigned will ensure that the information obtained is immediately broadcast to other field units and surrounding police agencies via teletype.
3. Upon determining that a sexual offense has taken place, the officer on scene will immediately secure the premises or the location of offense. The supervisor will be notified and they will request SVU respond to the scene. Access to the scene will be restricted to officers and medical personnel directly involved in the case only.
4. It will be necessary to preserve the scene where the actual offense occurred as well as the area surrounding the point of attack. Clothing, footprints, stains, blood, semen, bed clothing will be preserved for evidence. Those items will be collected by the crime scene technician who responds to the scene.
5. The investigating Patrol officer will coordinate with the Special Victims Unit Detective to authorize the hospital medical staff to conduct a physical examination of the victim if the patient is going to be in the Emergency Room for more than two hours. If the patient is going to be medically cleared, arrangements shall be made for the victim to be transported to SAVS to have the physical examination conducted. A detective will accompany the victim thru this process (at the hospital and/or SAVS) for both investigative purposes and to answer any questions the victim and/or medical staff may

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have. This includes the evidence collection kit from the examining medical staff which will be placed into refrigerated secure storage in Department Property and Evidence. (This excludes sexual assault kits collected from non-reporting victims).

- a. The alleged victim must be informed of the purpose of submitting evidence for testing and the right to request testing by:
 - A medical provider conducting a forensic physical examination for purposes of a sexual evidence kit; or
 - A law enforcement agency that collects other DNA evidence associated with the investigation in the event a sexual offense kit is not collected.
6. The officer will assess the need and offer to the victim outside assistance, (i.e., minister, relative or friend). Members should contact a Victim's Advocate and have one respond to the scene to provide assistance. Further, if possible the victim will be offered the opportunity to be interviewed by an officer of the same sex.
7. Officers should strive to protect the dignity of the victim. The victim should not be subjected to the news media or any person not requiring contact with the victim.
8. The primary officer will determine if the victim's emotional or physical condition will allow the interview to take place or should it be postponed to a later time. An in-depth interview will not be done at the scene by the initial officer. When a subsequent interview takes place, officers will obtain the perpetrator's methods of operation. These may include, but are not limited to the following facts:
 - a. Method of entry.
 - b. Clothing worn.
 - c. Methods of restraint.
 - d. Any words, phrases or directions given by the suspect.
 - e. Any unusual marks, scars, deformities, unusual body odor or other unusual physical features of the suspect.
 - f. The description and name, if known, of any witnesses, participants or accomplices.

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- g. Was a weapon involved in the incidents? What type of weapon? Was the weapon seen or implied?
- 9. If the offense took place in a vehicle, the assigned officer will ensure that the vehicle, when located, is impounded as evidence.
- 10. Whenever possible, a physical examination will be performed on the victim and the suspect. The examination will be administered by medical personnel at a medical facility.
 - a. Sexual Assault Victim Services (SAVS) is available for adult sexual assault victims. Physical examinations should be considered.
 - b. The Children's Advocacy Center of Brevard (CAC) – Child Protection Team (CPT) will complete the physical exam of children who are the victim of a sexual assault.
 - c. The examination is essential in substantiating the complaint and establishing the identity of the perpetrator.
 - d. Any sworn member may sign for the initiation of an examination.
 - e. A sealed examination kit will be used and the chain of custody documented by using a Property Form
 - f. All members having contact with the examination kit will be required to sign the property form
- 11. At the outset of any investigation of a sexual offense on a juvenile, DCF will be advised as mandated by statute.
 - a. DCF **shall be** contacted, **and** the name of the person contacted must be included in the case report.
 - b. Upon completion of the investigation, a copy of our case report will be sent to DCF for inclusion in their file.
- 12. The responding officer or the shift supervisor will contact the on call detective and inform him/her of the situation.
- 13. The initial officer will complete an initial report including all of the above listed information if applicable. Any responding/backup officers will complete a supplement.
- E. Follow-up Responsibility** - All sexual offenses will be followed-up by the Special Victims Unit.

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502.35 Stalking [GO 220](#)

- A. Harassment** - Harassment complaints can easily turn into stalking violations when the activity is repeated and fits the elements of the statute. For this reason, preliminary information provided to CAD or a written report, (depending on circumstances), which has not met this threshold, should contain enough detail of the circumstances to support future statements if the activity escalates.
1. Telephone Harassment is a crime and the telephone company will assist in tracking the calls and provide this information to the investigating officer.
 2. The telephone book contains the contact numbers and procedures for requesting their help.
- B. Stalking** - [784.048 FSS](#) Stalking complaints, whether domestic or not, will be handled in the same manner as Domestic Violence cases. If the stalking is not DV related, a State Attorney's Office notice to appear for the victim or DV worksheet is not required. [GO 220](#)

502.36 Supervisor Mandatory Response - [GO 215](#) [GO 501](#)

502.37 Theft

- A. Response Type Refer to** [GO 213](#)
- B. Definitions** [812.012 FSS](#)
1. Theft [812.014](#)
 2. Theft from persons 65 or older [812.0145 FSS](#)
 3. Retail Theft/ Shoplifting [812.015 FSS](#)
 4. Fraudulent/False receipt [812.017 FSS](#)
 5. Dealing in Stolen Property [812.019 FSS](#)
 6. Evidence of theft or Dealing in Stolen Property [812.022 FSS](#)
 7. Charging theft and dealing in stolen property [812.025 FSS](#)
- C. Procedure**
1. **Petit Theft**
 - a. A written report will be completed regardless if the victim wishes to pursue charges, there is suspect information or serial number

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information is available. If the victim refuses to pursue charges or cooperate with the investigation, the case should be closed noting the victim refused to pursue or cooperate with the investigation.

- b. Members should obtain a statement from the victim advising if they wish to pursue charges. If the victim does not want to pursue charges, a statement will be completed which advises that information.
 - Members must ascertain if micro dot technology was used on the stolen property for identification purposes.
 - If micro dot technology was used, the member will notate in the report the company that made the micro dots and the location on the property the owner/victim affixed the dots.
 - c. If the victim wishes to pursue charges, and the suspect is located, charges will be filed.
 - d. If the victim does not want to complete a sworn statement, that information will be documented in the initial report.
2. **Grand Theft** is considered any item stolen with a value of \$750 dollars or more and medical equipment from a licensed facility or Law Enforcement equipment taken from an authorized emergency vehicle with a value of \$300 dollars. In addition to items listed in [FSS 812.014](#).
 - a. An officer will respond and complete a written report on all grand theft calls for service, including if the victim does not wish to pursue charges. If the victim refuses to pursue charges or cooperate with the investigation, the case should be closed noting the victim refused to pursue or cooperate with the investigation.
 - b. Members will obtain a statement from the victim advising if he/she wants to pursue charges or not. The member will also ascertain if micro dot technology was used on the stolen property for identification purposes.
 - Members must ascertain if micro dot technology was used on the stolen property for identification purposes.
 - If micro dot technology was used, the member will notate in the report the company that made the micro dots and the location on the property the owner/victim affixed the dots.
 - c. If the victim wishes to pursue charges, and the suspect is located, an arrest will be made, an arrest warrant will be completed, or charges will be filed.

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- d. If the victim does not want to complete a sworn statement, that information will be documented in the initial report.

3. Shoplifting In Custody - Officers assigned to conduct shoplifting investigations will adhere to the following procedures, when appropriate.

- a. If an adult or juvenile has been detained by store personnel and the suspect(s) are cooperative, one officer can respond and advise on whether back-up officers are needed. If suspect(s) are being verbally abusive or combative, then two officers are required to respond.
- b. If a juvenile is placed under arrest, he/she **has to be transported to Department for processing**. DJJ will be notified and it is to be determined whether the juvenile will be detained or released to a family member or other responsible adult with a juvenile court date.
- c. Any recovered evidence may be returned to the store upon completion of the investigation unless processing is required. It is not required that you take a picture of the items.

- 4. On misdemeanor theft arrests, adult arrestees who meet the requirements of ROR may be released on a notice to appear and escorted from the store. If the arrestee does not meet ROR requirements, he/she will be transported to Department for processing. They will then be turned over to BCSO.
- 5. If requested, a TAW will be completed and the arrestee warned that they are no longer permitted on the premises.

D. Follow-up responsibilities

- 1. Follow-up theft investigations over \$1000, theft of firearms, except Retail Theft arrests, are the responsibility of GCU. [OMA 602](#)
- 2. Thefts \$1000 and under are followed- up by Patrol.

E. Required Report Forms - Offense Incident, Persons Report, Retail Theft Affidavit (if applicable), Property Report, 923.01 and Cost Recovery Affidavit (if arrest made or charges filed).

502.38 Trespass - Whenever a TAW is completed, CAD notes should be entered into the MDB and the completed form(s) should be turned in to the Records Unit.

A. Procedure

- 1. The Agency provides Trespass Warnings to document the fact that a person has been warned that he or she is not welcome, authorized, licensed, or invited on the premises specified on the form.

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2. Although it is not always necessary to issue a written TAW, an authorized person must give notice to the offender, either directly or through an officer. Notice can be by actual communication to the offender, either verbal or in writing; or by posting, fencing, or cultivation, as provided in Section 810.011, Florida Statutes.
3. The authorized person must inform the officer that the subject is not welcome, authorized, licensed or invited on the premises. The authorized person must sign the TAW form in the presence of the officer. Once the authorized person signs the TAW, the officer may warn the subject. The authorized person is not required to warn the subject personally.
4. Whenever practicable, the officer will positively identify the authorized person and the trespasser for purposes of prosecution, and document that information on the TAW. Positive identification can take the form of a driver's license, a state or military identification card, or a passport. Social security cards or other non-photographic identification are not acceptable.
 - a. The authorized person, trespasser and any vehicles associated with the trespasser should be run through Teletype to confirm there are FCIC/NCIC hits on each respectively. The officer should also ensure everything that is run is attached to the CFS prior to clearing the call.
5. The officer will give a copy of the TAW to the authorized person. It is recommended that a photograph be taken of the trespasser and attached to the authorized person's copy of the TAW if possible.
6. It is preferable, but not necessary, for the trespasser to sign the TAW. However, if they do not sign, the officer will write REFUSED on the line provided for the trespasser's signature. It is desired, but not essential, to have the authorized person to sign as a witness to the refusal.
7. It is preferable that a warning be issued while the subject is still on the property. However, that is not a requirement for an enforceable warning. It is not necessary for an officer to witness the incidents that resulted in a request for the issuance of a TAW to the subject.
8. If the subject is a juvenile, the officer should make a good faith attempt to contact the child's parent or legal guardian and inform them of the TAW. If the officer is not successful in contacting the parent or guardian, the officer will have a copy of the TAW and the Parent Notification Form mailed to the child's parent or guardian. The officer will document this in the CAD notes on the MDB.
9. Normally, officers will not be pre-authorized to issue TAW to persons on private property. However, on properties where there is a threat to public

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safety or welfare, officers may use a Private Property Trespass Enforcement Affidavit to obtain pre-authorization to warn trespassers.

10. When an officer issues a TAW pursuant to a Private Property Trespass Enforcement Affidavit, the subject who was warned may contact the authorized person (generally the person who signed the Private Property Trespass Enforcement Affidavit), without entering onto the property, and request that the authorized person rescind the TAW. A TAW issued pursuant to the Private Property Trespass Enforcement Affidavit is presumed to be valid, unless the authorized person notifies the Department.
11. If an authorized person decides to rescind a TAW issued pursuant to a Private Property Trespass Enforcement Affidavit, they will request an officer to respond. Generally, that should be the officer who witnessed the execution of the Private Property Trespass Enforcement Affidavit. The officer will write CAD notes in the MDB referring back to the original CFS the Trespass Affidavit referred to, stating that it was rescinded. All records of that TAW will be removed from any Trespass Warning database, notebook, or list.
12. Off-duty officers may be pre-designated by a landowner or manager to be an authorized person to inform trespassers that they are no longer welcome, authorized, licensed, or invited on the premises. In such a capacity, they are acting as an agent of the property owner and not of the Agency, so completion of a Private Property Trespass Enforcement Affidavit is not required.

B. Trespass in a single-family dwelling, in an individual business, or on real property

1. The officer will obtain positive identification from the trespasser and the authorized person pursuant to paragraph 5.1.4, above, if able.
2. The officer will inform the authorized person that a TAW may be issued to the trespasser, or that the trespasser may be arrested. However, the decision to arrest is at the discretion of the officer, and must be based only upon probable cause and circumstances as determined by the officer.
3. If the trespass is of a misdemeanor level, an arrest may be made only when the offense occurs in the presence of the officer, in fresh pursuit, or upon verifying the existence of an active warrant or capias. If the trespass is of a felony level, an arrest may be made upon probable cause.

In the event a custodial arrest occurs, a report will be completed.

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4. A TAW is not required unless the person had been authorized, licensed, or invited by the authorized person and it was revoked by the authorized person, or if it is a business open to the public.

C. Trespass in a business complex or shopping complex

1. A person who has committed a crime against the business, or who has been disorderly inside the business, can be barred from the premises by an agent of the business.
 - a. If the owner/agent of the business refuses to pursue charges for crimes committed against the business but wishes to have the suspect trespassed instead, a written report must be completed reflecting the original charges, the owner/agent did not wish to pursue charges and then listing the Trespass statute in the offense section while clearly articulating that no charges are to be pursued in the report narrative.
2. Since these establishments are open to the public, the officer will ensure that the subject has been properly warned to leave the premises and refused to do so, or has returned.
3. If a written TAW was not previously issued or is not immediately available, the officer will obtain an affidavit from the agent of the business, indicating how, when, and by whom the subject was warned, and identified.
4. If the officer cannot verify, that the subject was warned previously, they will issue a written TAW and order the subject to leave the premises. If the subject defies an order to leave, or if the officer determines that the subject defied an order to leave or returned after receiving an order to leave, the officer may arrest the subject.
5. The subject can be barred only from that area of a complex over which the authorized person has control. An individual business owner can ban a subject only from his business and its contiguous area.
6. When trespassing complaints originate from a business that is open to the public, the officer will make a good faith effort to determine that the complaint is not based on discrimination prohibited by state or federal law.

D. Trespass in a residential complex

1. When a trespassing complaint originates from a residential complex, the officer's actions depend on the identity of the complainant.
2. A resident may ban a subject from his own housing unit.

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3. An owner, manager, or agent may ban a subject from any common areas of the residential complex. A subject may be banned from a residential unit if the tenant's lease so provides.

E. PRIVATE PROPERTY TRESPASS ENFORCEMENT AFFIDAVIT Property Information: Owner/Custodian Contact Information

Name: _____

Address: _____

Telephone: _____

As the custodian of the property mentioned above, I hereby empower officers of the Palm Bay Police Department to act as my agent as follows:

1. Officers are granted permission to enter onto this property for the purpose of patrolling and enforcing violations of law.
2. Officers are authorized to act on my behalf in enforcing any violation of law and/or ordinance and/or community rules that occurs upon or against this property. I do wish to prosecute persons who commit these offenses.
3. Officers may post "NO TRESPASSING" signs, give Trespass Warnings, and arrest any person who does trespass upon this property.
4. A subject who is warned pursuant to this agreement may contact, or someone whom I designate, me without coming onto the property, and explain the circumstances. If I, or my designee, decide to rescind the Trespass Warning, we agree to contact the Palm Bay Police Department to have a supplemental report written rescinding it. I understand that this limited authority does no obligate the Palm Bay Police Department to patrol for or at any specific time.

 Custodian's Signature Date Sworn to and subscribed before me this _____
 day of _____, 20____ by _____
 who produced _____ as identification, or is
 personally known to me. _____

 Signature of law enforcement
 officer Printed Name of Officer conducting official duties, ref: §117.10, F.S.

502.39 Worthless Checks OMA 602 - Worthless Checks 832.05 FSS, Prima facie evidence of intent 832.07 FSS

A. Response Type- Refer to GO 213

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B. Procedures

1. Officers and supervisors should ensure that cases dealing with checks that are returned from a bank marked "insufficient funds" or "account closed" should be direct filed with the Office of the State Attorneys - Worthless Checks Division.
2. This policy is effective provided that there have been no other offenses such as forgery, fraud, counterfeiting, uttering, or other crime, which was committed in connection with the worthless check.
3. Members who are called to investigate a worthless check case will ensure that the following procedures are followed and will provide the complainant with the following information:
 - a. Conduct a cursory investigation with the complainant to ensure that this is a worthless check case and no other crimes are related.
 - b. Officers may furnish the complainant with a "Worthless Check Packet" if the case fits the criteria.
 - c. Close the case with no report required "Referred to State Attorney for Direct File".
4. If a suspect comes to the attention of the Department, who is extremely active during a short period of time, a member may notify his supervisor to contact CIU and request investigative personnel assist.
5. Who Can File a Criminal Charge- The affidavit to file criminal charges must be completed by the person who physically accepted the check from the defendant and who gave the defendant some consideration in exchange for the check.
 - a. If that party is not available, the person who authorized the check may complete the affidavit, but must specify on the affidavit that he did not see the check actually delivered.
 - b. If such is true, that person should be able to testify from personal knowledge as to what consideration, if any, was exchanged for the check, and must be able to identify the person who passed the check, as would the person who actually accepted the check.
 - c. The requirement as to identity is why the law requires the party taking a check to obtain information on the back of the check, or on a check cashing card, to help establish a legally sufficient case in court as to the identity of the party giving the check.

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6. Insufficient Funds In this situation, the law provides that notification be sent to the defendant by certified mail that the check was returned by the bank for insufficient funds.
 - a. The defendant then has seven days from receipt of that letter within which to pay the full amount of the check, plus 5% or \$20.00 service charge, whichever is greater.
 - b. Upon conclusion of the seven days when no payment is received, the victim may initiate criminal proceedings.
 - c. The signed receipt or the returned unclaimed certified letter must be included with the affidavit when delivered to the SAO.
7. Account Closed - a check returned for "account closed" establishes prima facie evidence that no funds were on deposit at the time the check was presented and does not require notification to the defendant. The victim may proceed to file a criminal complaint without any waiting period.
8. Payment Stopped - In order to prosecute on a check where the payment was stopped, the State must be able to prove beyond a reasonable doubt that the defendant had intent to defraud at the time the check was issued.
 - a. If the defendant is disputing the quality of the product or service involved, it would be a civil matter, which may be pursued through the civil courts, (Small Claims Court if under \$1500.00).
 - b. In situations where payment was stopped involving repairs that were done to property of the check issuer and where the repaired property was released by the repairer as a result of the issuing of the check, the State can possibly proceed on a statute covering the removing of property under lien.
9. Unable to Locate - Unable to locate checks do not constitute a criminal charge and should be resubmitted to the bank for the stamping or making of a more definite reason for dishonor.
10. Uncollected Funds - Uncollected funds checks do not constitute a criminal charge and should be resubmitted to the bank for payment or making of a more definite reason for dishonor.
11. Two Party Checks - when filing involves a two party check, both the original receiver and the person to whom the check was returned must sign the affidavits against the defendant in order for the State Attorney to initiate criminal prosecution.

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- a. Credit Advancing - If an agreement to hold, (implied or expressed), was made between the defendant and the person accepting the check, it would put the party accepting the check on notice that the check would constitute a promise to pay at a later time.
 - b. This would also be the case with post-dated checks. In both circumstances, by legislative definition, the check is not criminally a worthless check.
12. Delivery Not in Person - if a check is received through the mail or through another person than the accused, the State Attorney does not criminally prosecute unless they can establish the identity of the person writing the check without great expense to taxpayers for handwriting analysis.
- a. This analysis may, even if purchased, be inconclusive and inadequate for prosecution.
 - b. For this reason, misdemeanor offenses are not normally prosecuted when delivery is by mail without other evidence or identity such as personal acknowledgment by the check signer of making and delivering the check.

C. Follow-up Responsibility - Follow-up will be conducted by CID.

502.40 Written Reports Required

- A. Written reports are required on the following incidents.
 - 1. All felony offenses;
 - 2. Misdemeanor offenses with the following exceptions:
 - a. Criminal mischief's when the total value is less than \$1,000.00 and there is no suspect information.
 - b. Harassing telephone calls when the caller cannot be identified and no threats of violence have been made.
 - 3. Traffic crashes involving no injuries and less than \$500.00 damage where the driver insists that a short form crash report be completed. Otherwise, no report and a Drivers Exchange Form is provided and recorded on the CFS in CAD system.
 - 4. Vehicle crashes less than 24 hours old and involving damage of more than \$500.00 or any crash involving injury;
 - 5. All death investigations;

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6. All thefts (including but not limited to: bicycles, lawn equipment, motor vehicle parts, theft from a building, etc.);
7. Incident involving found or recovered property;
8. Protective custody incident, (Baker and Myers act included); exception for voluntary admissions.
9. All incident involving missing or runaway juveniles;
10. Missing adult cases where foul play is suspected, the person requires life sustaining medication or treatment, or the person is mentally incompetent;
11. Founded incident involving the discharge of a firearm within the City limits, with the exception of firing ranges;
12. Aircraft or Vessel crashes;
13. A prowler or suspicious incident complaint when there is a reasonable description of the suspect and/or vehicle;
14. Incident involving lost property valued over \$300.00 or serialized articles where the serial number is available;
15. A written case report is required whenever a probable cause search (smell of marijuana, contraband seen in open/plain view, etc.) is conducted.
16. A TAW has been completed when a second or subsequent offense was committed.
17. A criminal traffic citation has been issued, regardless if there was a custodial arrest or not; the only exception is "Driving While License Suspended with Knowledge" and driver is released on scene which would only require a cover sheet be completed using the codes "Criminal Citation" and "Cleared by Arrest" (no narrative).
18. Whenever a suspect has been identified in any crime, regardless if the victim wishes to pursue charges or not.
19. Founded animal bite complaints.
20. Prescription thefts
21. Incidents involving perceived or identified concealed weapons present at the Palm Bay City Council Chambers

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B. All written reports must meet the following criteria:

1. The report will be printed, typed, or computer generated characters, using black ink only. Cursive writing is not acceptable. Signing the documents may be done in blue ink.
2. The report will be grammatically correct with proper spelling.
3. Report forms will be properly filled out and complete in context.
4. Reports will be reviewed by the supervisor or designee to ensure that the report meets proper criteria.
5. All written reports, traffic citations, alarm notices, or other paperwork is due at the end of the officer's tour of duty. These items will be turned into the officer's immediate supervisor. Exceptions to this rule may be granted by a sergeant or above on reports which are not critical in nature.
6. **Only report forms which are located in DMS are to be used. No other forms are to be accepted.**
7. An Investigative Cost Recovery Request Form must be completed whenever a [923.01](#) or [Arrest Warrant Packet](#) has been written.

C. Sample Preliminary Narrative Components - The following is a basic itemized list of what needs to be placed into the narrative of any report:

1. Date, Time, and Location of Incidents
2. Complete information on all parties involved.
3. Describe elements of the crime or incident in detail
4. Describe all contacts or notifications made
5. Document location and/or suspect(s) information.
6. Document all officers who responded and their assigned duties, if applicable.
7. Document any evidence processing and who took possession of the items.
8. Document if any specialized units responded to assist or assume the investigation, (BCSO, CID, etc.).
9. Document if the crime was founded or unfounded and if the victim wished to pursue charges or declined.

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10. All victims are to be given a Victim Rights Pamphlet. This will be documented in the incident report.
11. If a Victim's Advocate was required to be contacted, (DV cases), or a victim was referred, it will be documented in the report.

D. Case Status

1. **Cleared by Arrest** - The offender has been arrested and charged with the offense, (Includes Notice to Appear and Criminal Traffic Citations).
2. **Unfounded** - Upon investigation the crime reported was found not to have occurred. Examples of unfounded incidents which require an information report include, but are not limited to, child abuse, domestic violence situations, and bomb threats. (There should be some evidence to indicate that the crime did not happen)
3. **Closed** - The criminal case has not been solved and all leads have failed to produce enough information to make an arrest or charge the offender. Closed cases are considered inactive and may be available to the public. (Use for criminal cases only - If it is not an unsolved crime it will probably fall under status – Inactive Non-Criminal)
4. **Exceptionally Cleared** - Cleared by other than arrest. All the following criteria **must** be met:
 - a. The identity of the offender has been established.
 - b. There is sufficient probable cause to support an arrest and prosecution.
 - c. The location of the offender is known.
 - d. And there is some reason beyond law enforcement control that prevents you from arresting the suspect. Examples of this are when the victim refuses to press charges, the suspect is deceased, the suspect is in another state or country and that state or country refuses extradition, etc.
5. **Open** - The case is actively under investigation or is being referred to another Palm Bay Police Unit for investigation.
6. **Capias Request** - A Capias has been filed with the State Attorney's Office and the suspect has not yet been charged.
7. **Arrest Warrant** - The investigating officer has written an Arrest Warrant and it has been signed by a Judge, and the suspect has not been arrested.

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8. **No Report** - When incident do not require a written report, officers will obtain enough information for the Call for Service Report in CAD to ensure that, if necessary, a report could be written at a later date. If there is any doubt as to the necessity of a written report the officer will write a report.
9. **Inactive Non-Criminal** - This final case disposition is to be used **only** for non-criminal investigations or reports. Non-criminal incidents which require a written report may be closed as Inactive (i.e. recovered runaway, non-criminal death, non-criminal traffic, etc.).
10. **TOT Other Agency** - A crime was reported and occurred in Palm Bay and the case has been referred to another law enforcement agency for investigation (i.e. FDLE, FBI, USSS – normally used by CID).
11. **No-Filed/Closed** - A Capias has been filed with the State Attorney's Office and the State Attorney's Office has elected not to file any charges in the case. (Only applies to cases where a Request for Capias was filed) (Used by Records Section only)

502.41 Blue Alert - The Florida Law Enforcement Blue Alert System is to broadcast important information about a law enforcement officer who has been killed, has suffered serious bodily injury, has been assaulted with a deadly weapon or is missing while taking action in the line of duty and the suspect, who is considered to pose an imminent threat to the public, is still at large. The information will be broadcast through Dynamic Highway Message Signs and other appropriate notification methods to increase the chances of capturing the suspect(s) responsible for injuring or killing a law enforcement officer.

A. Criteria for Activation - Pursuant to **FSS 784.071**, to activate the Blue Alert, the following criteria must be met:

- a. A law enforcement officer has been killed, has suffered serious bodily injury, or has been assaulted with a deadly weapon; or a law enforcement officer is missing while in the line of duty under circumstances evidencing concern for the law enforcement officer's safety;
- b. The suspect has fled the scene of the offense;
- c. The law enforcement agency investigating the offense determines that the suspect poses an imminent threat to the public or to other law enforcement officers;
- d. A detailed description of the suspect's vehicle, or other means of escape, or the license plate of the suspect's vehicle is available for broadcasting;

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- e. Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect; and if the law enforcement officer's last known location and physical description, and the description of the vehicle involved, including the license plate number or other identifying information, to be broadcast to the public and other law enforcement agencies, which could assist in locating the missing law enforcement officer;
- f. The Blue Alert must be immediately disseminated to the public through the Emergency Alert System by broadcasting the alert on television, radio, and the Dynamic Message Signs that are located along the state's highways.

B. Steps for Activation

1. The member will contact their supervisor to determine if the criteria has been met for a Blue Alert Activation, if so, the supervisor will contact the USD Commander or designee who will make notifications up to the Chief of Police or designee.
2. The shift supervisor will contact the FDLE Watch desk and provide the necessary information to verify that the activation criteria have been met. The Watch Desk will immediately contact the on-call Special Agent Supervisor for the region to coordinate the activation of the Blue Alert with the Agency to determine if the alert will be displayed regionally or statewide.
3. The FLDE Special Agent and the Agency's supervisor will contact the Watch Desk via conference call to provide the information for public release, including suspect and/or vehicle information as well as the Agency's contact information.
4. The FDLE Watch Desk will contact the DHSMV and the FHP Orlando Regional Communication Center to disseminate the Blue Alert. The Orlando Regional Center will relay the information to other regional communication centers where the activation is to take place.
5. FDLE will contact the Florida Department of Transportation (FDOT) Orlando Regional Transportation Management Center to provide the message content using the FDOT-approved Blue Alert template which includes vehicle information, tag number and other identifiers.
6. FDLE Watch desk will facilitate the broadcasting of the alert to the public via television and radio through the Emergency Alert System (EAS). FDOT will display the alert on a Dynamic Highway Message Signs on all requested highways unless a traffic emergency occurs, which requires a motorist safety message to be displayed. FDOT also will record a Blue Alert Message on the 511 system when the Blue Alert is activated.

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7. The same activation steps will be used if there is revised vehicle, suspect information, or if the broadcast area is changed.
8. If the suspect is captured or no longer being sought, the sworn supervisor will notify the FDLE Watch Desk as soon as reasonably possible. FDLE will then contact the appropriate parties to cancel the alert.
 - FDLE Watch Desk Numbers: 850 410-7645 or 800 342-0820
 - FHP Communications Center Shift commander, Orlando: 407 737-2200
 - FDOT Orlando Regional Transportation Management Center: 407 736-1900

PALM BAY POLICE DEPARTMENT OPERATING MANUAL

Subject: Crime Suppression Unit (CSU)

OMA: 504

Rescinds: None

CFA 4th:

Reference:

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504.1	<u>Procedure</u>
504.2	<u>Administration</u>
504.3	<u>Responsibilities</u>

504 Purpose: To establish operational guidelines that will assist unit members in identifying and addressing crime problems within the city limits of Palm Bay.

504.1 Procedure: The Crime Suppression Unit of the Palm Bay Police Department has the primary responsibility of developing plans to address patterns of crime or any other crime related problems within the city limits. The unit will work closely with the Crime Analyst in identifying crime patterns and problem areas. This will enable the unit to apprehend the criminal element or displace the criminal activity by the use of surveillance, stake-outs, area saturation, and directed patrol techniques.

504.2 Administration:

A. Chain of Command:

1. The Crime Suppression Unit supervisor will report directly to the Uniform Service Division Commander, or designee, for work assignments.

B. Case Management:

1. After receiving work assignments from the Uniform Services Commander, the unit supervisor shall document these assignments in a case management system so that proper tracking and accountability can take place.

C. Unit Activity Reports:

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1. Unit Supervisor- Shall complete a weekly and monthly report for the Uniform Services Commander on the activity of the unit members.
2. Unit Members- Shall complete a daily activity report for the unit supervisor.

D. Work Schedules:

1. Due to the nature of the work that the Crime Suppression Unit will be doing, the members must be able to keep a flexible work schedule to address the crime problems within the City.

E. Annual Review:

1. An annual review report will be submitted to the Uniform Services Division Commander. The report will describe the unit's statistical results for the year and describe the unit's goals and needs for the upcoming year.

504.3 Responsibilities:

A. Unit Supervisor

1. Immediate supervision of the CSU members.
2. Statistical review of crime information,
3. Scheduling of manpower according to crime patterns and assignments.
4. Review and approval of all reports generated by the unit members.
5. Weekly/Monthly reports to the Uniform Services Division Commander.
6. Monitoring of the CSU members activity and assessing their effectiveness.
7. Act as a liaison between the CSU and other agency sections.
8. Assist the CSU members in obtaining the necessary resources to enhance their effectiveness and efficiency. This includes building relationships with businesses of the community.
9. Disseminate training. Legal bulletins and other pertinent departmental information to the unit members.

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10. Responsible for CSU members performance logs, quarterly inspections, and annual evaluations.
11. Review of CSU members time cards.

B. Unit Members:

1. Maintain knowledge of statistical information about crime problems and patterns.
2. Deter, apprehend, or displace crime by the use of surveillance, stakeouts, saturation patrols, and uniformed directed patrols.
3. Build and maintain a good working relationship with all sections of the Department.
4. File the appropriate reports on daily activity.
5. Maintain appropriate case files on activity assigned.
6. Completion of time cards.
7. Unit members shall wear their ballistic vests whenever dealing with a high risk situation. While on duty, it is recommended that the unit member wear the ballistic vest. While on duty or off duty operating a Department vehicle, the CSU officer will have it readily available.
8. Make recommendations on equipment needs to the CSU supervisor.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Traffic Homicide Investigations		OM No: A506
Rescinds: OMA 506 Revision: 06/07/17	CFA 5th: 18.03	Revised: 10/20/18
Reference: GO 506		
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506 Purpose - Traffic death investigations conducted by a Traffic Officer (Traffic Homicide Investigator, T.H.I) are criminal investigations and are handled according to this Operating Manual. These procedures establish guidelines for Traffic Homicide Investigators (T.H.I) and D.U.I investigators (Drug Recognition Expert-D.R.E) to conduct traffic related death investigations during the course of their duties and responsibilities. The primary objectives include the following:

- A.** Establish guidelines and priorities for the members in determining the types of cases to be initiated.
- B.** Establish primary areas of investigative responsibility.
- C.** Implement measures that ensure members are acquainted with their duties and procedures in the area of traffic homicide investigations.

506.1 Investigations

- A.** All fatality crashes will be investigated in the same manner regardless of the number of vehicles involved.
- B.** Reporting
 - 1. Suspensions** - Investigations that are incomplete due to laboratory analysis, review by the State Attorney's Office, locating participants, etc.,

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may be suspended, pending receipt of the information. As soon as all information is received, the Investigator will immediately complete the investigation according to this directive.

- a. Investigations that are suspended will require a status report every 30 days, in the form of a memo explaining the reason for the delay.
 - b. The memo will indicate the status of the investigation and any projected completion date.
2. **Report Format** - All investigative reports will be completed using the Traffic Homicide packet. [<Traffic Homicide>](#)

506.2 General Guidelines

A. Criteria for Traffic Homicide Investigation

1. A **non-intentional** criminal act that results in a death from a vehicle crash or vehicle mishap on the roadways in the City of Palm Bay.
2. A delayed traffic fatality is when the death occurs 90 days or less from the crash AND the Medical Examiner's Office has determined the death is a result of the traffic crash.
 - a. If the death of a participant occurs more than 90 days after the crash, the initial investigator will confer with the State Attorney's Office to determine if the traffic crash is prosecutable.
 - b. If prosecutable, a traffic homicide investigation will be initiated.
3. Anytime there is the death of an unborn child in a traffic crash and the Medical Examiner completes a death certificate for the unborn child.
4. A "traffic crash" on private property that results in a fatality.
5. Other natural deaths or suicides in motor vehicles and the vehicle was:
 - a. Involved in a mishap.
 - b. Involved in a crash.
 - c. Was in motion.

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B. On-Scene Procedures for the Primary Patrol Officer - Patrol officers arriving at traffic crash involving death (or likely death), will do the following:

1. Ensure appropriate procedures in General Order [<Traffic Crash Investigation Section 506.3>](#) are performed.
2. Notify and coordinate investigation with the Traffic Homicide Investigator (T.H.I) and the D.U.I Investigator (a Drug Recognition Expert) with the approval from a sworn supervisor if none are on duty.
3. A T.H.I and D.R.E will be requested for all traffic crashes involving death or the likelihood of death with the approval of a sworn supervisor if none are on duty. Upon arrival of the T.H.I and the D.R.E, the assigned officer will relinquish command of the scene to the investigators.
4. The sworn supervisor will monitor the activities of the assigned officers and investigators and ensure all actions by officers at the scene comply with departmental directives and law.
5. The traffic fatality will be investigated by a Traffic Homicide Investigator pursuant to the provisions in this Operating Manual.
6. The primary patrol officer will remain at the scene until released by the T.H.I.
7. Officers are to preserve the scene and its integrity. The scene is considered a crime scene. Officers are to minimize scene contamination by limiting access of non-essential personnel. Crime scene tape should be used when applicable.
8. Obtain the names of other law enforcement officers and public service personnel on the scene.
9. Determine possible witnesses or sources of information from people located at the scene to include other service personnel.
10. Driver identification and sobriety should be noted and documented by primary officer and all information turned over to the T.H.I and the D.R.E upon arrival.
11. If an officer has reasonable suspicion to believe that the driver or person in actual physical control of a motor vehicle that has been involved in a crash resulting in serious bodily injury or death, the officer will notify that

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information to the T.H.I and D.R.E officers and will keep the suspect under constant supervision by sight and sound until relieved by the T.H.I. Any test of blood will be preformed by a physician, certified paramedic, registered nurse, licensed practical nurse, or other personnel authorized by a hospital to draw blood at the direction of the D.R.E.

12. The Traffic Homicide Investigator will ensure that, if warranted, blood is drawn and not overlooked.

C. On-Scene Procedures for the Traffic Homicide Investigator

1. At least one Traffic Homicide Investigator (T.H.I) and one D.U.I investigator (D.R.E) will respond to the scene of every fatal or potentially fatal crash. The T.H.I will investigate the crash and complete the responsibilities related to the crash. The D.R.E will investigate impairment by any of the involved drivers. If a D.R.E is unable to respond, the T.H.I will assume investigative responsibilities reference suspected impairment of any involved driver.
2. The T.H.I will decide when and how to make next-of-kin notifications. If there is an indication that D.U.I charges may be pending against the surviving driver of the vehicle at fault, the deceased victim's next-of-kin will be made aware of their Victim's Rights as provided in Agency General Order - Victim Services [<GO 802>](#). The Victim Services Officer should be contacted to provide assistance to the next-of-kin.
3. All physical evidence will be identified, documented, and collected by the Crime Scene Technician at the direction of the T.H.I and applicable procedures provided in the Crime Scene Operating Manual [<OMB602>](#). Documentation of evidence should be sufficient to reconstruct the crash and include information necessary to prepare a scale diagram for reconstruction purposes.
4. The T.H.I is to ensure the Crime Scene Technician has taken all appropriate photographs and has retrieved and documented physical evidence at the scene. Items that should be photographed include, but are not limited to:
 - a. Final rest position of vehicles and occupants/ pedestrians.
 - b. The area of pre-collision and any secondary collisions.
 - c. Area of initial collision, and any subsequent collisions.

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- d. All evidence prior to removal from its resting place.
 - e. Scene photographs of all involved drivers, if possible.
 - f. Relevant signs, signals or markings on roadway.
 - g. Seatbelts and other occupant restraints.
 - h. Damage to all vehicles, paint transfer and pattern injuries to occupants, if possible.
5. All digital photographs will be submitted to the Property and Evidence Unit and a copy provided to the T.H.I.
 6. T.H.I will conduct a post-crash inspection of mechanical systems and evaluation of crash damage to each vehicle involved. Damage will be documented and photographed including any equipment or mechanical failures. Inventories may be done at a vehicle storage area if it is not practical or jeopardizes officer safety at the scene. If the system data recorder is going to be examined, Consent to Search form or Search Warrant from the judicial circuit must be obtained before downloading system data recorders in all criminal cases.
 - a. In all situations where an independent mechanic is used to assist in the post-crash inspection of involved vehicles, every attempt will be made to eliminate any real or perceived conflict of interest.
 - b. Under no circumstances will a mechanic who has personal or professional associations with any owner, driver, occupant, insurance company, or vehicle manufacture of any vehicle involved in a crash be used for a post-crash inspection.
 7. The assigned investigator will determine if the assistance of a support agency is needed on the scene or during the investigations. The following is an example of the agencies that should be notified if necessary:
 - a. The State Attorney's Office, the Medical Examiners,
 - b. The National Transportation Safety Board (NTSB),
 - c. The Department of Environmental Protection (DEP),

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- d. Bureau of Emergency Response if hazardous materials are involved,
- e. And the Florida Department of Transportation Motor Carrier Compliance for CMV crashes.

D. D.U.I. Drivers involved in Serious Bodily Injury (S.B.I) or Fatal Crashes - See <Traffic Enforcement (Stops) Section 505.18>

1. The D.U.I. investigator (D.R.E) is responsible for blood tests work and all arrest and charging documents related to the D.U.I. If a D.R.E suspects one or more of the drivers to be impaired by alcohol, chemical substances, or controlled substances; the D.R.E will conduct an on-scene investigation, document evidence, perform any field sobriety tests, and obtain any needed search warrants for blood samples. The D.R.E will file charges, make a physical arrest, or obtain an arrest warrant; depending upon what is applicable for the case. Once results of blood analysis are returned from FDLE, the D.R.E will enter the results into the case file.
2. In all confirmed or potentially fatal traffic crash investigations, a D.U.I. investigator will respond and evaluate each involved driver for impairment. The D.U.I. investigator will respond regardless of whether or not the initial responding officers suspect impairment. The traffic fatality investigation report will contain observations of the driver's impairment or lack thereof. In cases where the D.U.I. investigator determines the drivers are not impaired; the D.U.I. investigator will assist the Traffic Homicide Investigator(s) with their duties, TCP, and any other task assigned.
3. Investigators should speak with all public service personnel present at the crash scene (i.e. E.M.S personnel, fire department, or other law enforcement personnel). Investigators should ask about any observations of alcohol or drug impairment by driver(s) or occupants. The Investigator will ensure all personnel specified complete and turn in a supplemental report.
5. When probable cause exists, a legal blood sample will be obtained in accordance with Florida State Statutes, regardless whether blood was drawn for medical purposes. Unless exigent circumstances exist or a signed voluntary blood consent form is obtained, a search warrant for the blood samples will be obtained.
6. In investigations where the investigator believes the crash is alcohol and/or drug influence related, and there is a question of the identity of a vehicle driver, the investigator will request a blood sample from each

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occupant. The T.H.I or D.R.E will also ensure that the Crime Scene Technician has collected DNA swabs from the vehicle. The T.H.I or D.R.E should attempt to obtain consent for DNA samples from the occupants.

7. The D.U.I. investigator should document all information pertaining to prescription or non-prescription drugs for blood sample laboratory analysis.

E. Arrest Procedures <GO 210>

1. When an investigation reveals that probable cause exists for any charge, the Traffic Homicide Investigator will file charges.
2. Any D.U.I. charges will be charged or filed by the assigned D.U.I investigator.
3. If an on-scene investigation reveals the necessity for an immediate arrest, the T.H.I will initiate the procedure. A supervisor and the State Attorney's Office will be notified immediately.
4. When a warrant or capias is issued based on the results of a traffic fatality investigation, an effort will be made by the Traffic Homicide Investigator to apprehend the suspect. A supervisor will ensure available personnel and resources are being utilized to locate and apprehend the suspect.

F. Post Scene Procedures

1. All time spent on the traffic homicide investigations, including preliminary homicide investigations, will be arranged prior with the member's supervisor as to overtime and/or flex time. When Traffic Officers are assigned to investigate traffic homicides they will be allowed **at least 4 duty days of uninterrupted duty time** to complete each investigation. If more time is needed, the investigator will consult with his/her supervisor.
2. The driver license, ID card, or government ID of all the deceased victim(s) will be given to the T.H.I who will place a copy of the ID in the homicide report. It will be permissible to cut the photograph from a Florida driver license or Florida ID card and return it to the next-of-kin, if requested. A certified driver license history will be obtained for all drivers.
3. The T.H.I will not release any information concerning the investigation to the general public until the investigation is complete or at the direction of a

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supervisor. Every attempt should be made to locate and notify the next-of-kin before any victim information is released.

4. T.H.I is required to keep their supervisor informed of the progress of their investigation.
5. T.H.I is required to enter all known data into the DAVID system within 24 hours of assignment of an investigation. T.H.I will then enter additional or edit existing information as soon as it becomes available. Checks include the information involving a license to be reviewed for suspension.

G. Traffic Homicide Supervision

1. The T.H.I's supervisor is responsible for routinely verifying that the investigation is progressing at an appropriate rate and that all leads are being investigated and documented.
2. The supervisor on scene will ensure all supplement reports from first responders on scene are completed and turned in as soon as possible.
3. The supervisor will ensure that the investigations meet acceptable standards and are submitted within estimated time limits.

506.3 Interviews/Interrogation and Written Statements [<GO 604>](#)

A. Procedures - All statements will address the witness/participant's knowledge of:

1. What occurred before, during, and following the crash.
2. What occurred on the scene after the crash, such as spontaneous statements made or actions taken by any of the involved parties.
3. Who or what other vehicles or participants were involved.
4. Establish where the witness or participant was located before and during the crash.

B. Recorded Statements

1. Witness statements will be obtained in all traffic fatality investigations.

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2. Recorded statements will be obtained as soon as circumstances permit. Every effort will be made to interview witnesses at the scene of the crash. On-scene supervisors will assign other patrol personnel to assist in obtaining witness statements at the scene, if needed.
3. Before the recorded interview, the witness should be questioned in reference to what information he/she has regarding the investigation.
4. An Interview Form will be read and signed at the beginning of every recorded interview to ensure proper predication of the interview.
5. At the completion of the interview, the original and applicable form will be turned into evidence and a copy will be kept with the investigator's case file.
6. A telephone interview will generally suffice for witnesses who are outside of Brevard County. When possible, and in criminal cases, assistance from a police agency in the area in which the witness resides will be requested to obtain a sworn statement.

C. Written Statements

1. If a written statement is given in a foreign language, the statement will be translated and typed. The original witness statement will be included in the report preceding the typed translation.
2. All written statements will be legible or if not, typed before inclusion in the traffic homicide report. The statement will be typed exactly as written on the original statement.
3. If the written statement is lacking in detail, another written statement will be obtained before completion of the investigation.
4. The original handwritten statements will be retained in the case file in police records.

506.4 Reports – Traffic Homicide Investigators must accurately complete all required reports and submit them in a timely manner. The reports must provide a clear synopsis of the investigation and be readily adaptable to new or changing information.

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A. Procedures - The narrative account of an investigation should answer the essential questions of WHO, WHAT, WHEN, WHERE, WHY, and HOW. The narrative events should follow in chronological order. [<Traffic Homicide>](#)

B. Diagrams

1. Diagrams will be based upon the facts collected during the investigations and will represent highway characteristics and physical evidence at the scene. Vehicle travel paths prior to collision, positions of vehicles at the collision and all secondary collisions, and vehicle travel paths leading up to the final rest will be indicated.
 - a. If a delayed fatality occurred and no measurements were obtained on scene, nor evidence noted, a reconstruction diagram will be drawn based on the crash investigation, and statements.
 - b. A notation will be made on the diagram that only roadway characteristics were measured and no evidence measurements were obtained.
2. Home address or telephone numbers of a law enforcement officer or their family members will not be placed in the report. In addition, only the work address and telephone number of employees of a Fire Department, Emergency Service, Hospital, Medical Examiner, and other Professional Personnel will be required.

C. Investigative Notes - The Traffic Homicide Packet will be used for compiling investigation information. It is the responsibility of the Traffic Homicide Investigator to take sufficient notes to document the facts and evidence of the investigation. The traffic homicide investigation will contain all documented facts and evidence to support the investigative summary. It will be the investigator's responsibility to maintain custody of their field notes throughout the investigation. Once the investigation is complete, all pertinent information will be included in the investigative report, attached statements, logs, inspection forms, property reports, etc. will be reviewed and forwarded to the Records Unit.

1. All field notes that are maintained after the completion of the traffic homicide investigation will be placed in a file at the Agency.
2. A copy of a field notes will be submitted with the original report to the Records Unit.

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506.5 Prosecution Responsibilities

- A. Liaison** - The T.H.I and/or D.R.E will keep close contact with the SAO to coordinate prosecution, if applicable, on all Traffic Fatality Investigations.
- B. Preparation and Presentation** - The Investigator will ensure all reports, digital evidence, and any other evidence is accumulated, organized and/or made available for the discovery process and court room testimony and presentation.
- C. Judicial (Court) Procedures** - Applicable procedures will be followed as provided in Court Procedures, Preliminary Investigations Operating Manual.
[<OM A502.15>](#)

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: School Crossing Guards		OM No: A507
Rescinds: OMA507 Revised: 09/08/09	CFA 5th: 18.11	Revised: 08/30/16
Reference: Traffic Control GO 407, Florida School Crossing Guard Training Guidelines (DOT)		
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507 Purpose - The purpose of this procedure is to provide guidelines, as per Florida State Statute 316.75, on the operation of the Department's School Crossing Guard (SCG) program. The primary mission of the SCG program is to help ensure the safety of children at street crossings near schools. [<316.75 FSS>](#)

507.1 Selection and Training

A. Selection

1. SCG selection shall be based on the most current job description posted by the Human Resources Department.
2. SCG applicants shall be required to pass a civilian background check as required in the Selection Process. [<GO 404>](#)
3. Applicants must have a high a school diploma or GED.

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4. Applicants must be in good physical condition, including vision and hearing.
 5. Applicants must have good communication skills.
 6. Applicants must be dependable.
- B. Training** - School Crossing Guards shall receive state certified training regardless of population and salary. The training course shall instruct SCG on safety measures and methods, rule and regulations and responsibilities.
[<316.75 FSS>](#)
- C. Certification** - School Crossing Guards shall successfully complete the annual state recertification/evaluation regardless of population and salary.
- D. Authorized Use** - No non-sworn personnel shall be utilized in the capacity of a School Crossing Guard unless they have completed the required state training and maintained recertification as a SCG.

507.2 Authority and Responsibilities

- A. Temporary Personnel** - SCGs are part-time, temporary personnel appointed specifically for the performance of SCG duties.
- B. Distinct Uniforms** - SCGs are not law enforcement certified or sworn members. SCGs shall wear the authorized SCG uniform and traffic vest with School Crossing Guard lettered designation.
1. **Uniform includes** - Department issued shirt, pants, windbreaker, ball cap, gloves, rain gear, and safety traffic vest. Black shoes are required but not issued.
 2. **Care of Uniforms** - Uniforms shall be properly fitted, neat, clean and well-pressed at all times.
 3. **Equipment** - The issued items of equipment includes: whistle, stop paddle, first aid kit and communication device, as deemed required by the program administrator.
- C. No Arrest Powers/No Weapons** - SCGs have no arrest powers and shall not attempt to apprehend law violators. SCGs will not be permitted to carry weapons of any kind.

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1. SCGs must report violators by acquiring license tag number, if possible, of vehicles disregarding traffic signals and stop signs of SCG and report them to SCG Supervisor or law enforcement.
 2. Immediately report vehicle accidents via radio or phone.
 3. Immediately report the injury of a child via radio or phone.
 4. Immediately request an officer if suspicious persons are observed or a child reports a suspicious person.
- D. Regulate Traffic** - SCGs should not normally direct traffic in a regulatory sense, but expedite the movement of children by using natural gaps.
- E. Duty Time** - A SCG shall be present at his/her post of duty at a time specified by each individual school's agenda and/or time schedule.
- F. Assigned Post** - Each SCG shall be familiar with his/her assigned post, including:
1. The location and purpose of street and traffic signs (such as school and speed signs) within his/her assigned area.
 2. If signs are missing from their proper location or damaged in any way, the problem shall be reported to the SCG Supervisor or his/her designee, to include but not limited to the following:
 - a. Traffic flow patterns at the post.
 - b. Special hazards, if any, at the location.
 - c. Any other special instructions.
- G. SCG Supervision** - The part-time supervisors report directly to the supervisor designated by the Support Services Division Commander.
- H. Department Policies** - The designated Supervisor shall ensure that SCG's are trained on this operating manual, other unit procedures, and have access to, applicable City Rules, Department General Orders and related correspondence. SCGs are responsible for compliance with these directives.

507.3 Attendance and Conduct

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- A. Unexcused Absence** - Unexcused lateness or absence from an assigned post imperils the safety of children and must be treated as a serious violation of the policy.
- B. Repeated Absences** - Repeated absences from duty and failure to notify the SCG Supervisor of his/her designee shall be cause for termination. **Emergency leave requests will be handled on an individual basis according to City policy.**
- C. Notification to Supervisor** - SCGs who are unable to report for duty to their assigned post due to sickness or other reason shall ensure the SCG Supervisor or his/her designee is informed at least one (1) hour before the normal reporting time, whenever possible.
- D. Standards Of Conduct** - SCGs shall comply with applicable sections of the Professional Conduct General Order [<GO 401>](#). SCGs are strictly prohibited from the following activities while on duty:
 - 1. The use of alcoholic beverages/drugs or being under the influence of it.
 - 2. Smoking.
 - 3. Use of profanity.
 - 4. Cell Phone. The Department recognizes the need for occasional use of cell phones, for emergency situations, providing no radio is available.
- E. Report to Supervisor** - SCGs shall contact the SCG Supervisor or his/her designee as soon as possible following any difficulty with the public.
- F. Personal Business** - SCGs shall not conduct personal business while in uniform, on or off duty, in any manner that is intended to influence the other party.
 - 1. Buying vehicles, property, etc.
 - 2. Requesting loans or other banking business other than routine deposits or withdrawals.

507.4 Crossing Procedures

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A. Safe Crossing Practices - The SCGs will cross children only when the traffic is clear, taking advantage of lapses in the flow of traffic, unless traffic is so congested the crossing of children is impossible without stopping traffic.

B. Crossing Techniques - When the way for school children wishing to cross the zone is clear, SCGs shall:

1. Direct actions of children at street intersections or designated crossing points. Assemble the children behind the guard.
2. Wait for a sufficient break in moving traffic, and then walk briskly to the center of the road and hold his/her arms in the "stop" positions, giving a clear and definite signal, with the hands well above the shoulders. Properly position him/herself in roadway for maximum visibility when children are crossing.
3. When traffic is stopped, or when the road is clear of cars, signal the children to cross. SCGs will instruct the children to walk, not run, when they cross the street. Bicycles will be walked across all roadways. Remains in the intersection until all children have safely crossed the roadway.
4. Immediately report any unsafe working conditions or safety problems to SCG Supervisor (the area is restricted, flooding, road repairs, etc.).

C. Physical Demands

1. As defined in City [<School Crossing Guard Job Description>](#).
2. Ability to tolerate varied outdoor weather and climatic conditions, including extreme temperature conditions.

507.5 SCG Locations

A. Criteria - Crossing Guard locations are established by the designated supervisor based on established criteria, such as:

1. Florida Department of Transportation standards.
2. Florida State Statute.
3. Number of students crossing in that area.

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4. Traffic movement including the speed, volume, and number of turning movements, i.e., at intersections.
5. Physical terrain including the presence of sidewalks, traffic lights, width of intersection, and/or other factors such as parked cars, construction area, etc.
6. Age of students.

B. Requests for Location Assignment Change - At such time that a vacancy occurs, seniority shall be a consideration.

507.6 Location Survey

- A. Annual Survey** - All current City sites will be surveyed annually to determine if they continue to meet the criteria. The survey form identifies SCG locations and includes new locations requiring guards.
- B. Input** - The SCG Supervisor will attempt to obtain input from school officials and county or state traffic engineering in determining new or in evaluating present locations.

507.7 School Closings - If school is to be closed early due to storm conditions or for other reasons of an emergency nature, SCG should contact their SCG Supervisor for assignments.

507.8 Benefits

- A.** Direct Deposit of paychecks.
- C.** SCG Job Posting is available year-round on City of Palm Bay website www.palmbayflorida.org

507.9 Part-Time Supervisors

- A. Duties** - On call five days a week from 0600 - 1000 hours and 1300 - 1700 hours. They are subject to receive calls on the weekends as well.
- B. Responsibilities of Part-Time Supervisors**
 1. The part-time supervisors must be certified as a SCG trainer.

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2. Performs routine supervisory and traffic control function in support of activities of the Department.
3. Assign intersections and evaluate SCG for all City elementary school crossings, reviews subordinates work, and determines weekly schedules.
4. Report any accidents and all unusual situations to the Communication Center. The non-routine situations report to the designated supervisor, Support Services Division.
5. Responsible for receiving and resolving reports concerning situations of the following but not limited to;
 - a. Activities at the school crossings including suspicious persons.
 - b. Children disrespect instructions from SCG on duty.
 - c. Parents complaints.
 - d. The public opinion about the conduct of SCG.
6. Check school zones
 - a. Check the designated schools for placement and removal of cones, at the appropriate time.
 - b. Record any deficiencies in the crosswalk lines, signs, pedestrian push buttons, etc. for repairs. Report all maintenance needs, concerns expressed and other studies needed for improvement for the crossing.
 - c. Implement improvements by meeting with City Engineering, Police Personnel, and DOT to discuss recommendations requiring school district input or participation.
7. Train all applicants for certification.
8. Conduct meetings with school officials.
9. Maintain an accurate record keeping of all SCG performances, attendance, and training as required by the City and Department policy.
10. Performs other related work as required.

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507.10 Substitute SCG

A. Duties - Substitute SCG selection shall be based on the most current job description posted by the Human Resource Department and the provisions of this directive.

B. Responsibilities

1. Must attend classroom instructions conducted by a FDOT certified trainer.
2. He/she must pass the final test with a minimum score of 75.
3. He/she must also complete in field training with instructor and on site training at their primary post. The performance checklist for Florida School Crossing Guard Certification must be completed and forwarded to the Florida School Crossing Guard program. A certificate of completion will be issued.
4. Daily duties are required where needed.

507.11 Training Records

Training Section - All training records for SCGs shall be forwarded and maintained by the Department Training Section.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: School Resource Officer Program (SRO)	OM: A508	
Rescinds: OMA 508 Revised: 12/15/15	CFA 5th:	Revised: 08/30/16
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508 Purpose

- A.** The purpose of this Operating Manual is to define the policy of the Agency and to provide procedures and guidelines for the operation of the School Resource Officer (SRO) Program. The School Resource Officer Program is a nationally accepted program involving the placement of a law enforcement officer within the secondary educational environment to act as law enforcement official on campus, a classroom speaker, and a resource to teachers, parents and students.
- B.** School Resource Officers have three main functions: law enforcement officer, liaison and counselor. As a law enforcement officer, the SRO maintains a safe and secure environment on the school campus, which will be conducive to an educationally stimulating atmosphere and serve as a means of preventing criminal activities and disturbances. As a liaison, the SRO promotes positive attitudes regarding the police role in society and informs the students of their rights and responsibilities as a lawful citizen. As a counselor, the SRO establishes a more complete liaison with the school personnel and students in a cooperative effort to prevent juvenile crime.
- C.** The School Resource Officer program will be under the supervision of the Special Operations Division (SOD).

508.1 Duties and Responsibilities

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- A. The School Resource Officer is a sworn law enforcement officer. The SRO's primary responsibility is to provide law enforcement services while in a school setting. The SRO will adhere to applicable procedures as provided in [General Order Juvenile Operations 508](#).
- B. The SRO is a visible, positive law enforcement figure on campus dealing with law enforcement matters on his/her assigned campus.
- C. Should it be necessary to conduct formal police interviews with a student, the SRO will adhere to existing legal guidelines, applicable Agency policies, and school district procedures.
- D. The SRO is responsible for identifying, investigating, and preventing criminal activity on school property.
- E. The SRO will take appropriate law enforcement action under Florida Law when required on campus.
- F. The SRO will make the school administrator and police supervisor aware of any law enforcement action taken on campus or at a school related function.
- G. The SRO will give assistance to other law enforcement personnel in matters regarding his/her school assignment.
- H. The SRO will advise and assist the principal in developing plans and strategies to prevent and intervene in dangerous situations on or near the campus or incidents involving students at school related activities.
- I. The SRO is a resource for teachers, parents and students. They will deal with problems or questions that involve crisis intervention, anger management, substance abuse, victim prevention techniques, etc.
- J. The SRO is a resource for students. Through daily association with a law enforcement figure, the student will feel more comfortable discussing problems or providing information.
- K. The SRO will become familiar with community resources, which offer assistance to youths and their families; such as mental health clinics, drug treatment centers, domestic violence assistance, etc.
- L. The SRO will present various subjects to students and faculty. Subjects will include but are not limited to; understanding the law, the role of the police officer and the police department's mission.

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- M.** The SRO is a classroom resource for law education that includes, but is not limited to:
1. Drugs and the law
 2. Alcohol and the law
 3. Sexual assault
 4. Suicide prevention
 5. Child abuse
 6. Safety programs
 7. Ethical issues
 8. Domestic violence
 9. Gang education, etc.
- N.** The SRO will maintain records of the School Resource Officer Program. The records will include, but are not limited to the officer's activity and duty logs at his/her school. These records will be submitted to the supervisor of the Special Operations Division or designee periodically as needed.
- O.** The SRO will not act as a school disciplinarian. Student discipline and consequences is a school administration responsibility. If the principal believes an incident is a violation of the law, the principal may contact the SRO and have him/her determine if law enforcement action is appropriate.
- P.** If a conflict in assignment occurs between school administration and the police department in the activities and/or duties of a SRO, the SRO will make his police supervisor and the school administrator aware of the conflict. It will be the responsibility of both the school administration and the police department to meet and resolve the conflict. The Special Operations Division Commander or designee will act as a facilitator in these matters.
- Q.** SRO's are employees of the Department. Decisions made by officers will reflect their duties and responsibilities under law as law enforcement officers, and as employees of the Palm Bay Police Department.
- R.** When requested by the principal, the SRO will attend parent/staff/administrative meetings to solicit support and understanding of the program.

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- S. The SRO, with the approval of the school administrator and police supervisor, may establish and coordinate youth programs within or associated with the school and police department.
- T. The SRO may support after school activities with students. In the event that the SRO is involved in an off-campus activity with students, it is a requirement that another staff member or adult volunteer be present. It will also be a requirement that for each ten students present, an adult volunteer or staff member will be needed to chaperone.

501.2 Uniform and Appearance

- A. The SRO is a law enforcement officer working in a school environment. The standard Department Class A uniform is the acceptable attire on campus. SRO's may also wear any polo shirts that are issued by the school at their discretion. The Chief or designee and the school administration must approve modifications.
- B. The SRO will be equipped at all times with an Agency approved firearm while on campus. The SRO will carry all other equipment as directed by Department [General Order 413](#).

501.3 Qualifications

- A. A particularly innovative aspect of the SRO program is its use of veteran officers as instructors. These officers, because of their "street experience" and the respect they typically receive from children, bring credibility to drug prevention education and law-related education that is unmatched by regular classroom teachers.
- B. Choosing well-qualified and committed officers is essential to the success of the program. The required qualifications for a School Resource Officer describe a process designed to enroll high quality officers and includes but is not limited to the following:
 1. The SRO program is voluntary.
 2. The officer must have good oral and written communication skills and should be able to work with people of all ages within and outside of the law enforcement community.
 3. The officer must have a desire to work with children and be comfortable with and friendly toward them.

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4. The officer should have a strong commitment to education and willingness to work in the school environment as a classroom instructor/facilitator, counselor, and law enforcement officer.
5. The officer should have excellent judgment, common sense, and good organizational skills.
6. The school administrator will have the right to accept or reject an officer appointment as SRO to their campus.

501.4 Selection Process - SRO selection process follows the provisions of Intra-Agency Lateral Assignments [General Order 410](#).

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509 Purpose

The purpose of this operating manual is to establish standard operating procedures for the training, use, deployment, care and daily operation of the Department's police canine teams.

509 .1 General Provisions

- A. This operating manual contains the policy, administrative and operational procedures, deployment practices, and methods of operation specific for the Palm Bay Police Department's Canine Program as approved and directed by the Uniform Services Division Commander and Chief of Police. The implementation of new and evolving methods of canine deployment and search techniques, and tactics will be reported to and reviewed by the USD Commander prior to implementation.

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- B. Although this directive is a comprehensive directive, no written directive can cover every incident that will be experienced by the canine teams. Each canine handler is expected to use good judgment in the care, use and deployment of the police canine, consistent with current law and policy. When a handler is unsure, the officer should seek guidance from the supervisors and managers assigned to oversee the canine teams.
- C. This manual is the composite of current Department policy, procedures and rules pertaining specifically to the Department Canine Teams. All personnel assigned to the Canine Teams are to conform to the rules and provisions contained herein. All previous SOPs, manuals, orders and other regulations which have not been included herein are no longer in effect. When a provision of this manual conflicts with the Palm Bay Police Department General Orders, unless specifically noted as an approved deviation, the Department General Order directive will take precedence.
- D. Any departures from the Manual must be approved by the Uniform Services Division Commander, via the Canine Team's chain-of-command. It is the responsibility of the canine handler who requests the policy or rule deviation to notify the Canine Supervisor as soon as possible. If the Canine Supervisor is unavailable, the Lieutenant or Commander (Canine Program Commander, CPC) in charge of the canine teams will be contacted for direction and temporary approval. When necessary for safety or operational effectiveness and no supervisor or manager versed in the canine function is available, the canine handler will explain the circumstances and the current policy or rule to the on-duty commander or supervisor, to request temporary approval for the deviation.
- E. Officers assigned to the canine teams will abide by the objectives, principles, policies, procedures, rules and regulations set forth in this manual. All personnel assigned to canine teams will receive a copy and must familiarize themselves with this manual. The manual will be provided to the members of the Department Command Staff.

509.2 Organization

- A. **Uniform Services Division Canines** - The canine team is one of the field units of the USD and is deployed at the direction of the USD Commander. Each canine team is assigned to a district. The USD Commander will schedule the canine teams for patrol service during the hours that the function is most useful. Canine teams will also be scheduled maintenance time and training time to comply with law and to ensure proper performance. The

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canine team is responsible and accountable to the commander or supervisor for the time period assigned to perform patrol services.

- B. Supervision** - The canine team is supervised by a Canine Supervisor for administrative needs such as training, budgeting, canine care needs, etc. A USD Lieutenant or Commander is assigned to command responsibilities over the program and is designated the Canine Program Commander (CPC).

509.3 Authorized Use of Canines

- A.** Upon satisfactory completion of the applicable training, police service dogs may be used as follows:
1. Apprehend suspects when probable cause exists to believe that such individuals have attempted or committed a forcible felony or other criminal offense specified in [<GO 509.3A>](#) for which they are being sought for arrest.
 2. Search the interior of a building or a secured area as specified in section [<GO 509.3C>](#).
 3. Assist patrol officers in the execution of a high risk stop.
 4. Defend officers and others from a direct attack by an assailant, in appropriate circumstances.
 5. Assist SWAT during its deployment.
 6. Defend themselves from attack.
 7. Indicate the presence of the odor of specific controlled substances providing probable cause as to their presence and assist in determining the location of such substances.
 8. Locate missing persons who may be endangered.
 9. Locate items which may be in a defined area by conducting an article search.
 10. Educate interested persons in the abilities of the police service dog.

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- B. The police service dogs assigned to the USD will be used in appropriate circumstances to assist officers in the performance of their duties when that assistance is beneficial to the Department and the community.
- C. Supervisors or officers at the scene of a police incident may request assistance from a canine team. Deployment of the canine will be consistent with the criteria delineated herein and the Department General Order 509. The canine handler will be responsible for determining if the criteria for a proper search has been met and is conducted as prescribed in this Canine Program Operating Manual. Once deployed to search, the handler will be responsible for the control and direction of the police service dog utilizing current Department-approved procedures.
- D. Prior to any search, the canine handler will ensure that the canine search announcement has been given. Any decision to omit announcements should be based on articulable considerations involving tactics and/or safety of the officer and the community.
- E. Whenever a reportable canine related injury occurs, or is claimed, the involved handler will complete a K9 Response to Resistance Form. The on-duty supervisor will complete the supervisor portion of the form, including conducting the required investigation as detailed on the form. If the Canine Supervisor or Lieutenant is on duty, he will complete the supervisor portion of the K9 Response to Resistance Form. This type of investigation instills public confidence as well as reaffirming the Department's commitment to an open and proper operation.
- F. Use of canine teams from outside agencies for the purpose of locating suspects or missing/endangered persons, within the City of Palm Bay for this Department's initiated events, will only be conducted in exigent circumstances if no Palm Bay canine team is able to respond in a timely manner and then only with the approval of the on-duty supervisor or commander.

509.4 General Duties

- A. The primary responsibility of the canine teams is to provide police service canine support to the USD and Investigations Divisions for searches for criminal suspects and missing persons, to aid in locating items of evidence or narcotics and to provide public service demonstrations as requested by the public or a Department unit. These duties will be conducted in accordance with the methods approved by the Department as defined in this manual and within the parameters prescribed by law.

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- B.** Canine teams will be deployed as needed by the on-duty supervisor or commander and will remain available for officer requests for canine services during their scheduled duty hours. While on-duty and not involved in searches or sniffs, training or other directed duties, the team will conduct general police patrol and assist as back-up on calls for service. The team is expected to proceed in the general direction of the termination point of any pursuit of a suspect or last known location of recently missing persons. Generally, canine handlers should not work zone assignments or handle cases requiring lengthy on-scene or preliminary investigations.

509.5 Canine Handler Responsibilities

- A.** The canine handler will be responsible for the care, maintenance, training, and deployment of his/her assigned police service dog in accordance with the procedures established herein.
- B.** The canine handler will ensure that all records pertaining to his/her police service dog are properly maintained.
- C.** The canine handler will immediately report any canine-related injury to the Canine Supervisor or Canine Program Commander.
- D.** The canine handler will maintain issued equipment in proper working order.
- E.** The canine handler will immediately report any injury, illness or deficient performance of the police service dog to the Canine Supervisor or Canine Program Commander.

509.6 Canine Program Commander Responsibilities

- A.** The CPC is tasked with responsibilities unique to the canine teams. As such, the CPC will be familiar with all aspects of this manual.
- B.** Under the direction of the Canine Program Commander, the trainer will be responsible for training the canine teams. The CPC or his designee will:
 - 1.** Determine through review of all Canine-Related Incident Reports, training of personnel and appearance at canine searches and other deployments that all canine searches and sniffs conform to the criteria herein established.
 - 2.** Ensure proper deployment of the Canine Teams when on-duty.

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3. Respond to all search requests involving an officer-involved shooting when on duty.
4. Respond to all searches involving suspects armed with a firearm when on duty.
5. When contacted, evaluate all call-out search requests.
6. Notify the on-duty supervisor or commander of significant activity involving the canine teams' personnel and ensure its inclusion on the Patrol Shift Log.
7. Respond to, evaluate, investigate and document all incidents of canine-related injuries on the appropriate report(s) as specified in [<GO 509>](#) and this manual.
8. Ensure that proper training, care and maintenance of all police service dogs is carried out.
9. Assist field supervisors in resolving conflicts concerning canine search requests.
10. Ensure that all monthly logs (activity and training), are submitted on the fifth calendar day of each month by handlers assigned to USD.
11. Oversee all aspects of the police service dog training program.
12. Evaluate all potential and active duty police service dogs for the Canine Teams.
13. Select and approve all police service dog training equipment and food.
14. Review all care and maintenance of Department police service dogs.
15. Coordinate certification and evaluation of each canine team.
16. Approve routine veterinary services and the issuance of veterinary supplies, and;
17. Issue all canine-related equipment provided by the Department including training narcotics and police service dog consumables (food, toys, treats, etc.).

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509.7 Searches

- A.** Police service dogs are more effective and efficient searchers than their human counterparts. The use of police service dogs provides officers with a decided tactical advantage when searching for hidden or concealed criminal suspects. This advantage is an invaluable tool in the rapid detection of criminal suspects and protection of officers, all to the end of assuring the safety of the community. In *Robinette v Barnes*, 854 F.2d 909 (6th Cir. 1988), the Sixth Circuit Court of Appeals recognized the value of police dogs... "Indeed, instead of generally causing deadly force to be used to apprehend criminals, we believe that these dogs often can help prevent officers from having to resort to, or be subjected to, such force.... The use of dogs can make it more likely that the officers can apprehend suspects without the risks attendant to the use of firearms in the darkness, thus, frequently enhancing the safety of the officers, bystanders, and the suspect."
- B.** When requested, canine teams will immediately respond to the search location, report to the officer in charge, and obtain all pertinent facts relating to the need for canine services. These facts include, but are not limited to the following: the threat level to persons, the community and/or police officers; the nature of the crime; and, if the search is in the best interest of the Department and the community. Safety of the public, the officers and the suspect will be of paramount concern. Upon receipt of this information, the handler will determine if the incident meets the canine deployment criteria. The Canine Supervisor or other ranking supervisor in charge of the scene may override the decision made by the handler.

509.8 Canine Deployment Criteria - See [<GO 509.5>](#)

509.9 Search Tactics - See [<GO 509.7>](#)

509.10 Apprehension Tactics - See [<GO 509.8>](#)

509.11 Fleeing or Attacking Suspects (No Search) - See [<GO 509.9>](#)

509.12 Restrained or Subdued Suspects - See [<GO 509.10>](#)

509.13 Drug Detection - See [<OM B509>](#)

509.14 Education of Citizens Regarding Police Dog Abilities

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- A. The canine handler may utilize his police service dog to educate interested persons in the abilities of the police service dog. This will be accomplished through public demonstration as assigned.
- B. The canine handler will emphasize the versatility of the police service dog. He will educate interested persons as to the friendly demeanor of the police service dog. The canine handler may allow persons desiring to pet the police service dog an opportunity to interact with the dog while supervised by the handler.
- C. The canine handler may walk the dog in public areas such as shopping centers to provide an opportunity for persons to interact with the police service dog.

509.15 Documentation of All Canine Deployments

- A. The canine handler is required to initiate a "Call for Service" whenever he utilizes the abilities of his police service dog. Training exercises are not considered to be utilizations.
- B. The canine handler will keep a record of the CFS numbers of all his police service dog utilizations.
- C. The canine handler will complete a written report whenever the police service dog apprehends a suspect, causes a subject to surrender after an announcement, indicates the presence of the odor of drugs, locates an endangered person, locates an item in an article search, or any other time the canine handler wishes to document events of the utilization.
 - 1. The written report will be in the form of a supplement to the original case report.
 - 2. If there is no criminal charge, the canine handler will initiate a report under the canine search "CFS".
 - 3. If the dog locates items of evidence, the handler may document the success by adding comments to the canine search "CFS".

509.16 Canine Handler Injury During Canine Deployment - If a canine handler experiences an incapacitating injury during a canine deployment the commander and another canine handler will be notified and respond to the scene. He will be briefed of the circumstances and be available to manage the service dog if necessary.

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509.17 Inter-Jurisdiction Canine Deployment

- A.** Outside agencies may legally deploy their canine teams within the City of Palm Bay. This includes incidents which, due to "hot pursuit", enter the City or an incident that is initiated by an outside agency originating within the City.
- B.** Occasionally, the canine teams may be asked to assist in canine deployment initiated by outside agencies within Palm Bay. When these situations occur, the canine handler will respond to the location to evaluate the deployment request. If the request is justified under Department policy and meets canine deployment criteria, the deployment may be conducted.
- C.** Generally, an outside agency's canine teams may not be used in conjunction with Palm Bay Police Canine Teams. Circumstances may dictate the use of outside agency Canine Teams. However, such incidents must be evaluated and approved by the Canine Supervisor or commander (when available) prior to joint agency deployment.
- D.** Department initiated activities in outside jurisdictions resulting in canine deployment requests will be conducted by Department canine teams, when practical. The on-duty watch supervisor or commander will be notified and approve the deployment in advance.
- E.** In situations where an outside agency requests the use of a Department canine team outside of the City, prior approval will be obtained from the on-duty supervisor/commander. Approval for those searches will be consistent with General Order 509 and this manual. The requesting agency should have no canine teams readily available. The canine team is subject to all the policies and regulations of this manual regardless of the outside agency's procedures.
- F.** Department personnel will only utilize canine teams from outside agencies in exigent situations when a Palm Bay canine team is unable to respond in a timely manner and with the approval of the on-duty supervisor/commander. The deployment criteria for the outside canine teams will be the same as that for Palm Bay canine teams.

509.18 Call-Out Procedures - See [<GO 509.11>](#)

509.19 Field Situations

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- A.** The canine teams are not deployed as regular patrol units; however, they can easily become involved in many different tactical/patrol situations. Police service dogs must only be used in incidents consistent with policies set forth herein. In a case where the canine handler is in imminent danger, the police service dog is trained to protect the canine handler and, when appropriate, should be used.
- B.** The canine handlers may become involved in field situations other than searches requiring the apprehension of fleeing suspects. Prior to using a police service dog for apprehension of any fleeing suspect, the canine handler will have specific and articulable knowledge that the fleeing person meets canine deployment criteria. Information obtained after the fact will not justify the use of a canine.

509.20 Medical Treatment - If a canine handler sustains an on-duty injury while engaged in a canine-related activity, the CPC will be notified. When the CPC is not available, the appropriate on-duty supervisor or commander will take appropriate action and follow Department procedures regarding on-duty injuries.

509.21 Canine-Related Injury Investigation

- A.** Canine-Related Injury is an injury to a person(s) which results from or is alleged to have resulted from physical contact with a police service dog.
- B.** The involved canine handler will complete a K9 Response to Resistance Form.
- C.** Photographs of the injury will be obtained after any necessary medical treatment. Photographs are obtained as evidence of the injury and will not be distributed except as necessary for the investigation. The photographs will be submitted as evidence.
- D.** Animal Services will be contacted prior to end of shift to report the incident according to county ordinance. Animal Services will conduct their own investigation of the incident. Police service dogs will be subject to working quarantines for observation of their physical well-being in accordance with county ordinance.
- E.** K9 Response to Resistance Forms will be reviewed by the K9 supervisor who will be notified via telephone and advise if they will respond to complete his/her respective section of the form or if they will have the on duty supervisor (Sergeant or higher rank) complete the form. The K9 Response to

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Resistance will be submitted to Internal Affairs with copies distributed to others as listed on the form.

509.22 Start/End of Watch Procedures

- A.** The canine handlers will start and end their tours at times and locations as designated by the Canine Supervisor or assigned squad Supervisor. Attendance at Canine Team training sessions is mandatory. Any deviation or absence requires the prior approval of the Canine Supervisor.
- B.** All overtime or compensatory time accrued, except court or emergency call-out, requires the approval of an on-duty supervisor/commander, or the CPC for canine-related duties. When no canine supervisors are available, approval will be obtained from the Uniform Services Division Commander.
- C.** All routine police reports will be presented to the canine handler's squad supervisor. Canine-related reports will be submitted to the Canine Supervisor. The original Daily Activity Report will be turned in to the Canine Supervisor. A separate report will be completed for a call-out for canine services, including demonstrations and presentations.

509.23 Training Log

- A.** All training will be recorded on the Canine Patrol Monthly Training Log and the Canine Narcotics Monthly Training Log. The Log will contain the following information:
 - 1. Date
 - 2. Location
 - 3. Time/hours/activity/primary trainer
 - 4. Attendees
 - 5. Absentees
 - 6. Summary notes/lesson plans utilized for training
- B.** Copies of the original forms will be submitted to the Canine Supervisor by the fifth day of the month following the training. Canine handlers are responsible for keeping training documents for court presentation. Original records will be maintained in the Training Section and the handler may keep copies.

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C. Original Training logs will be kept in a permanent file in the Training Section.

509.24 On-Call - The Canine Supervisor will complete a list informing the Communications Center of the Canine Teams to be requested to respond for call-out during the hours when there is no team on duty. The on-call team should be available by pager.

509.25 Outside Employment - Requests for outside employment will be consistent with current Department policy. At no time will Palm Bay Canine equipment, including police service dogs be used for outside employment.

509.26 Reporting of Damaged Property

A. It should be noted that while gaining access to an area to search, conducting a search or leaving a search area, every reasonable effort should be made to do so with a minimal amount of damage to private property. In the event private property is damaged, the handler will report the incident to the on-scene supervisor as soon as practicable. The damage will be noted in the handler's CFS for the canine activity.

B. Occasionally, private property is damaged during the course of a search. This may occur due to specific and articulable tactical reasons or the inability of the search team to find a responsible party to allow entry. It is in the interest of the Department and the Canine Teams to limit damage to any type of property. In the event that damage does occur to private property, the following procedures will be followed:

1. Document the facts surrounding the incident in the narrative of the Canine Search Report, identify the owner of the property, include a description of the damage and articulate the reasons why the property was damaged;
2. Indicate in the narrative how the property can be repaired and any steps taken by the handler to temporarily repair or secure the damage; and,
3. Notify the on-duty supervisor at the conclusion of the incident, describe how the damage occurred, and include that supervisor's name in the Search Report.
4. The on-scene supervisor will make every effort to repair the damage.
5. The supervisor will conduct a follow-up investigation of the incident and contact the property owner to ensure that the damage was repaired.

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- C. If the damage was caused by members of the search team, not at the direction of the handler but incidental to the search, the patrol supervisor will be responsible for repair arrangements.
 - 1. The handler will note the circumstances surrounding the damage in the Canine Search Report and notify their supervisor of the damage at the conclusion of the incident.
 - 2. It will be the Supervisor's responsibility to ensure that the commander from the involved squad is advised of the damage and the need to arrange for the repair/replacement of the property.

509.27 Equipment

- A. Each handler is responsible for maintaining his/her Department issued and approved equipment in good order. An equipment log will be maintained by the Canine Supervisor. Any modifications or equipment changes will be made only with the prior approval of and notification to, the Canine Supervisor and/or Palm Bay Police Department Armorer.
- B. On at least a semi-annual basis (January and July), the Canine Supervisor will inspect and audit the equipment assigned to each canine handler. A written report will be forwarded to the Uniform Services Division Commander indicating the results of the inspection.
- C. Equipment that is lost, stolen or unserviceable will be requisitioned through the Canine Supervisor. Department procedures regarding the reporting of lost equipment will apply. Department canine equipment will be restricted for use only by Department canine personnel and only when they are involved in approved Department activities.

509.28 Assigned Vehicles

- A. All canine handlers will properly maintain their assigned Palm Bay Police Canine vehicles. Maintenance schedules will be adhered to and any mechanical problems will be attended to as soon as possible.
- B. While overall responsibility for canine vehicle maintenance rest with the Department Fleet Manager some tasks may be delegated to the Canine Lieutenant. It will be the Canine Lieutenant's responsibility to ensure that all canine vehicles are properly equipped with the specialized equipment and that these devices are maintained. Canine vehicles will be serviced

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according to hour meter and odometer readings as determined by the City Fleet Manager. Each handler is responsible to maintain the vehicle in accordance with the current Department policy governing vehicle use and care.

509.29 Compensation for Care and Grooming of Police Service Dog

- A.** Each canine handler assigned a police service dog will receive ten hours of straight time each fourteen day pay period for the care and grooming of the police service dog. If a handler has not had the responsibility of caring for a police service dog during the pay period, he/she will be required to work the 10 hours during the pay period.
- B.** Canine handlers will be provided the 10 hours regardless of use of sick, vacation, comp time or other absence from work, if the canine was in their care during the pay period. The ten hours will be reflected under "OTHER" and noted as "K9 MAINTENANCE". Canine maintenance will be considered the collective hours worked for the purpose of pay calculations. Canine maintenance is provided to cover the time spent feeding, grooming, inspecting, cleaning and generally attending to the needs of the police service dog, the canine facilities, equipment and vehicle.

509.30 Personal Appearance/Requests for Presentation

- A.** Any requests for Canine Team presentations or public appearances by personnel assigned to the Canine Teams will be directed to the Canine Lieutenant. The Canine Lieutenant will evaluate each request and forward the recommendation to the CPC for final approval.
- B.** This procedure does not affect current Department policy regarding impromptu interviews by members of the press or questions of a general nature from members of the community. In those situations, handlers and other canine personnel will be guided by current Department policy and procedures.

509.31 Housing and Feeding

- A.** Each handler of the Canine Teams will be responsible for the feeding and housing of his assigned service dog. Each handler will be supplied a kennel and a dog house to be used for the police service dog. The handler **must** provide a suitable living environment for the police dog. This will be a single family residential unit in which a Department issued kennel may be erected. The area in which the kennel will be erected **must** be fenced or

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otherwise restrict access to the dog's kennel. The Canine Supervisor and/or CPC will determine the suitability of the living environment. The handler **must** live at the same location as the dog's kennel.

- B.** Each handler will house his/her assigned police service dog only in the Department kennel unless otherwise authorized by the Canine Supervisor or the CPC. The handler is required to be present and supervise any activities outside the kennel or home.
 - 1. The police service dog will not be allowed to interact with persons, other than the handler's immediate family members living in the home or other Palm Bay Police canine handlers, except when supervised by the canine handler or for emergency purposes.
 - 2. The police service dog will not be transported in any vehicle other than a Department canine vehicle, except in emergencies or special situations with prior approval of the Canine Supervisor.
 - 3. A police service dog will not be taken to locations off-duty, unless authorized by the Canine Supervisor or the CPC.
 - 4. Whenever the handler leaves his/her residence, the police service dog will be secured in the locked kennel or inside the home.
- C.** The handler is required to feed the police service dog and ensure the kennel facilities are properly maintained. A police service dog will not be fed any food other than the type prescribed by the Canine Supervisor and veterinarian. The dog will not be fed or groomed by anyone other than the handler, unless authorized by the Canine Supervisor or CPC. A police service dog will not be fed within (before or after) two hours of strenuous activity. A police service dog which has been surgically altered to prevent gastric volvulus may be fed within the two hour period, however this practice is not recommended.

509.32 Breeding - Palm Bay Police Department police service dogs will not be used for breeding for any purpose unless approved in writing by the Chief of Police. Such restriction pertains to any active-duty police service dog.

509.33 Inspection of Residential Kennels

- A.** During the months of January and July of each calendar year, the Department's kennel at each handler's residence and the area surrounding the kennel will be inspected for cleanliness, proper structure and security. A

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written report will be forwarded to the Uniform Services Division Commander indicating the results of the inspection.

- B.** Impromptu inspections may be conducted to ensure that appropriate housing is maintained. Such inspections will be conducted by the Canine Supervisor or Commander.

509.34 Canine Veterinary Treatment

- A.** Preventive care and non-emergency veterinary treatment will be arranged through the Canine Supervisor. Handlers will not obtain veterinary care at any facility other than a location approved by the Canine Supervisor.
- B.** In the event of an emergency, the police service dog will be transported directly to the Emergency Animal Hospital or the Department approved veterinarian assigned for the police service dog. Whenever possible, the veterinarian or animal hospital should be contacted prior to arrival of the police service dog to ensure that the facility is prepared to handle the emergency.
- C.** The obtaining of medication and veterinary supplies will be limited to those required for the police service dog receiving treatment.

509.35 Interim K-9 Care and Maintenance in Absence of Assigned Handler

- A.** If a police service dog must be removed from its assigned handler that removal will be made in the best interest of the Department, the handler and the police service dog. It is recognized that circumstances may dictate that a handler must be absent or separated from his/her assigned police service dog. When such circumstances require a police service dog to be removed from the immediate care of its assigned handler, the Canine Supervisor will designate the location of the police service dog's placement and who will be responsible for its maintenance and care.
- B.** In the event of an extended absence of a handler from his/her residence (i.e., vacation), the handler will notify the Canine Supervisor in advance. The Canine Supervisor will arrange for the interim care and maintenance of the police service dog.

509.36 Canine In-Service Training

- A.** Each handler will ensure optimum performance from the police service dog by conducting an ongoing physical and maintenance training program.

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- B.** If any problems are detected on actual searches, search training will be conducted more frequently. Problems discovered during searches and/or training will be reported to the Canine Supervisor.
- C.** The training function of handlers and police service dogs will be the responsibility of the Canine Supervisor. Any outside training or deviation from established training techniques, policies, principles, philosophies or exercises will be first approved by the Canine Supervisor. The appropriate documentation is also required on the Monthly Training Log. Some canine exercises (i.e., tracking) are optional and apply only to Canine Teams that have been trained in these exercises.

509.37 Obedience Training

- A.** Obedience training is the foundation for all control of the dog during training exercises as well as deployment in searches that meet the canine deployment criteria. The canine handler must always have the ability to control his/her dog in any situation. Therefore, emphasis will be placed on obedience training during maintenance training exercises. Obedience training is used in protection/control, search patterns, jumping and confidence training. Greater emphasis should be placed on formal and impromptu obedience training. The training exercises should include heeling, turns, sits, downs, stays, recalls, out of motion exercises and, on occasion, jumping.
- B.** Caution should be used not to "jump" the police service dog excessively as it is a strain on the dog's hips, legs and shoulders and may decrease the dog's working life. Jumping should only be performed occasionally to ensure response and agility exercises should be kept short, precise and in a "happiness" atmosphere. Retrieving during and after obedience training will help in motivation, quickness and response.
- C.** Obedience Exercises - The purpose of this portion of the evaluation is to determine the ability of the handler to control the police service dog. The handler will issue commands which will cause the dog to perform several obedience exercises. The order in which the commands will be given will be determined by the evaluators. One of the evaluators will call out directions to the handler. The handler will then execute the appropriate movement. The Canine Teams will demonstrate proficiency in the following categories:
 - 1. Heel** - Upon command from the handler, the dog will assume a position at the handler's side. The handler will walk forward. He will walk at a normal pace during the majority of the heeling test. The handler will also

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demonstrate both a slow and a fast pace. The evaluators may instruct the handler to walk faster or slower. The handler will execute left, right, and about turns. The dog will remain at the handler's side. The dog's shoulder must remain within two feet of the handler's left leg (right leg if handler is left handed) except when executing a turn.

2. **Sit** - Upon command from the handler, the dog will assume a sitting position. The dog will remain in this position until another command is given.
3. **Down** - Upon command from the handler, the dog will lie on the ground. The dog will remain in this position until another command is given.
4. **Come** - Upon command from the handler, the dog will immediately go to the position of the handler and await the next command.
5. **Sit in motion** - While heeling, the handler will issue this command. The dog will stop and sit while the handler continues to walk forward. The dog will remain in this position until another command is given.
6. **Down in motion** - While heeling, the handler will issue this command. The dog will stop and lie on the ground while the handler continues to walk forward. The dog will remain in this position until another command is given.
7. **Sit from distance** - At a distance of no less than fifty feet and upon command from the handler, the dog will assume a sitting position. The dog will remain in this position until another command is given.
8. **Down from distance** - At a distance of no less than fifty feet and upon command from the handler, the dog will lie on the ground. The dog will remain in this position until another command is given.
9. **Long down** - Upon command from the handler, the dog will lie on the ground. The handler will walk away from the dog. The dog will remain in this position for a period of five minutes. The handler will return to his dog.

509.38 Protection and Criminal Apprehension Training - All protection and criminal apprehension training should be designed to channel the protective and working instincts of the police service dog. Impromptu protection or pursuit situations are best to keep the dog sharp, but are sometimes difficult to arrange. Formal

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protection training should be conducted periodically, with emphasis on control, concentration, and if needed, proper bite.

NOTE: Proper bite is a bite in which the dog exerts sufficient pressure to enable the dog to hold on to one location without re-biting. It should be noted that a suspect's actions such as striking the dog, kicking, violent pulling, etc. may cause multiple bites. However, for normal training and evaluation purposes, re-biting should be discouraged.

509.39 Control Training

- A.** All protection, criminal apprehension and search training will incorporate control training. Control training includes false starts, release, call-off, release while fighting and detaining.
- B.** Great emphasis will be placed on this training as it will ensure optimum control and will decrease the chances of accidental or unnecessary injury to the public, officers, suspects and police service dogs.

509.40 Canine Search Training - To ensure maximum proficiency from the police service dog, impromptu and formal search training should be conducted at least twice each month. Search training may include building searches or area searches. Searches should be designed to include search patterns and a variety of suspect reactions so that the police service dog may experience a wide spectrum of realistic circumstances. Emphasis should be placed on motivation or any problem areas.

NOTE: Detaining is a search method where the police service dog, after determining the actual hiding location of the suspect responds to the actions of the suspect and handler.

509.41 Article Search Training - Article search training should be conducted at least once a week. Care should be taken to vary the type and number of articles. Terrain and distractions should also be varied. Whenever possible, articles should be scented and hidden by someone other than the handler.

509.42 Electronic Remote Training Collars

- A.** All police service dogs will be trained and deployed wearing the department-issued electronic training collar. Each handler will receive training in the proper use of the collar and will demonstrate proficiency with the collar prior to his/her police service dog being required to wear it.

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- B.** The electronic remote training collar is intended to make learning easier for the dog and to provide an "invisible leash" for the handler during deployments. Canine Teams are required to search for armed, dangerous felons. This extremely hazardous duty places the canine handler in a position of vulnerability. Criminals who are fleeing arrest or avoiding capture are inherently dangerous to apprehend. They are able to make the first offensive move and the canine handler must react to preserve his safety. Statistics show that the probability of canine handlers engaging in life-threatening gun/knife battles is higher than that of patrol officers. With these facts in mind it is desirable to place as much distance as possible between hostile suspects and the officers who are apprehending them. The remote collar allows the canine handler to have physical control of his police service dog from a safe distance. The officers' and suspects' safety is of primary concern. Although the police service dog is well-trained, there is a possibility (no matter how slight) that in a loud or confusing atmosphere such as found during an apprehension in which the suspect attacks the dog, the dog may not respond immediately. The canine handler could in such an instance remotely stimulate the dog.
- C.** The collars are intended to make learning easier for the police service dog. A great deal of training with police dogs requires distance between the handler and the dog. Proper use of the remote collar reduces stress in the dog while learning these distant behaviors.
- D.** The collars are not designed for, nor do they cause injury or undue discomfort to the police service dog when properly utilized. Each dog is evaluated to determine the proper level of stimulation required for a desired response. It is not the intention of the Department to inflict pain or discomfort on the dog. Furthermore, such action by any member of the Department will not be tolerated. Any canine handler using the remote trainer in a manner inconsistent with the training provided by the Department will be subject to disciplinary action up to and including separation from the Canine Teams.

509.43 Physical Training

- A.** Physical condition of the police service dog is the responsibility of the handler. Consideration must be given to physical exercise and diet. Each handler will consult with the Canine Supervisor in developing the police service dog's individual exercise and diet program.
- B.** Handlers may jog with their dog; however, the police service dog requires a distance of five miles to build any endurance. At the end of a run, a ball thrown for the dog several times will complete the wind sprint exercise. Any

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run should be conducted with deployment and call load taken into consideration.

- C. Swimming may be considered as an exercise regimen for the police service dog, however, the handler is responsible for ensuring the dog can be recovered and is not subject to danger, e.g. alligators, drowning.

509.44 Certification

- A. The purpose of this evaluation is to determine the level of proficiency of each Canine Teams within the Department's Canine Program. The evaluation will be conducted by the Canine Supervisor and at least one staff member.
- B. The dog and handler will report to the canine Supervisor. The handler will advise the evaluators what commands will be used during the evaluation. The handler will advise when he is ready to begin.
- C. The dog will be wearing the collar he normally wears during work hours.
- D. A canine handler will be allowed up to three verbal commands to cause his dog to comply. If a fourth command is necessary the Canine Teams will fail the attempted exercise. When the handler commands the dog to release when physically engaged with a suspect, the dog must release within ten seconds. This time limit replaces the "three command" requirement as it is more realistic when simulating actual deployment conditions.
- E. Once this evaluation has begun, the Canine Teams will complete the evaluation before the end of his work period.
- F. A team may reattempt two of the exercises if necessary. If the team still does not meet standards it will be required to complete supplemental training. The team will successfully complete the Evaluation before it is permitted to function as a Palm Bay Police Department Canine Team.
- G. The evaluators will document the performance of the Canine Teams on the Canine Team Proficiency Report.

509.45 Search, Apprehension and Detainment

- A. The purpose of this portion of the evaluation is to determine the ability of the Canine Teams to locate suspects who are hidden within a specified area. The handler will be evaluated on his deployment of the police service dog. The handler must deploy the dog in such a manner as to take advantage

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of wind speed and direction. This will be apparent when the handler begins the deployment from a downwind location in reference to the area to be searched. The handler must demonstrate control over his dog by directing the dog when appropriate. For example, if the dog begins to leave the search area, the handler will command the dog to return to the search area. This will be accomplished without touching the dog. The suspect will take one of three actions upon being located by the police service dog. The suspect may surrender, flee, or attack the dog. The dog must conduct a proper detainment of the suspect when located. A proper detainment is defined as follows: if the suspect surrenders, the dog must alert the handler by barking - the dog will not make physical contact with the suspect; if the suspect flees or attacks, the dog must physically seize the suspect and hold him for the handler. The handler will not be informed of which action will be taken by the suspect prior to the commencement of this exercise.

- B.** The area to be used will be clearly defined by landmarks or by flags. The area will be outside and will consist of at least five acres. The area will not be an open field; it will have at least five places in which to conceal a suspect. The suspect may be concealed in any manner provided that scent is available to the dog. There will be no time limit for completing the area search. However, if the police service dog is clearly not searching for the suspect, the area search will be concluded. It will be assumed that the dog is not searching adequately if he is not actively sniffing for the suspect for a period of more than two minutes. The Canine Teams will not pass this portion of the evaluation if the handler locates the suspect without the dog's assistance or if he leads the dog to the suspect after discovering him on his own. Should the handler inadvertently discover the location of the suspect without the assistance of the dog, the handler will immediately notify the evaluators. In this case, the Canine Teams would be allowed to conduct another area search.
- C.** Building Search - The purpose of this portion of the evaluation is to determine the ability of the Canine Teams to locate a suspect hidden inside a building. The handler will utilize a search pattern rather than conducting a random search. The handler will demonstrate the ability to interpret his dog's behavior when entering the scent cone. It will be assumed that the handler is not properly interpreting his dog's behavior if he calls his dog away from the suspect more than two times. The handler must demonstrate control over his dog by directing the dog when appropriate. For example, if the dog has failed to search a particular area of the building, the handler will direct the dog to search that area. The suspect will take one of three actions upon being located by the police service dog. The suspect may surrender, flee, or attack the dog. The dog must conduct a proper detainment of the suspect when

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located. The dog must conduct a proper detainment of the suspect when located. A proper detainment is defined as follows: if the suspect surrenders, the dog must alert the handler by barking - the dog will not make physical contact with the suspect; if the suspect flees or attacks, the dog must physically seize the suspect and hold him for the handler. The handler will not be informed of which action will be taken by the suspect prior to the commencement of this exercise.

1. The building to be used will be at least 10,000 sq. ft. The building will not be empty. It will have at least five places in which to conceal a suspect.
 2. The suspect may be concealed in any manner provided that scent is available to the dog.
 3. There will be no time limit for completing the building search. However, if the police service dog is clearly not searching for the suspect, the building search will be concluded.
 4. It will be assumed that the dog is not searching adequately if he is not actively sniffing for the suspect for a period of more than two minutes.
 5. The Canine Teams will not pass this portion of the evaluation if the handler locates the suspect without the dog's assistance or if he leads the dog to the suspect after discovering him on his own.
 6. Should the handler inadvertently discover the location of the suspect without the assistance of the dog, the handler will immediately notify the evaluators. In this case, the Canine Teams would be allowed to conduct another building search.
- D. Protection from Vehicle** - The purpose of this portion of the evaluation is to determine the ability of the police service dog to come to the aid of his handler from within the patrol car.
1. The handler will be required to conduct a traffic stop, respond to an address, or stop a suspect on foot who matches a BOLO.
 2. Upon exiting the patrol car, the handler will make contact with a suspect.
 3. The handler and suspect will be clearly visible to the police service dog.

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4. Within three minutes the person will attack the handler. The handler will release the police service dog from the patrol car via the remote door opener.
 5. The police service dog will apprehend the aggressor. An evaluator may instruct the handler to command the dog to stop his pursuit of the suspect and return to the handler's side.
 6. This instruction must be given with sufficient time for the handler to command the dog before it is within twenty five feet of the suspect.
- E. Apprehension** - The following exercises will be performed in a predetermined order. The handler will have no knowledge of the order in which he will perform the exercises.
- F. Call-Off** - The purpose of this portion of the evaluation is to determine the handler's ability to command the police service dog to stop a pursuit and return to the handler's side.
1. The police service dog will be at the handler's side. A suspect will run away from a distance of at least one hundred feet. The dog will not pursue the suspect until commanded by the handler.
 2. The handler will issue the appropriate announcement to the suspect. The suspect will continue running.
 3. The handler will command the dog to apprehend the suspect. The dog will then vigorously pursue the suspect.
 4. At the instruction of an evaluator, the handler will command the dog to stop the pursuit and return to his side. The dog will stop the pursuit and return to the handler's side without delay.
 5. The suspect will continue running away until signaled by an evaluator to stop. The evaluator will not instruct the handler to call the dog until the dog has traveled at least sixty feet from the handler.
 6. The evaluator will allow the handler a reasonable amount of time to react to his instruction and call the dog before the dog can make contact with the suspect.

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- G. Detainment (SURRENDER)** - The purpose of this portion of the evaluation is to determine the police service dog's ability to respond properly to a surrendering suspect.
1. The police service dog will be at the handler's side. A suspect will run away from a distance of at least one hundred feet. The dog will not pursue the suspect until commanded by the handler.
 2. The handler will issue the appropriate announcement to the suspect. The suspect will continue running. The handler will command the dog to apprehend the suspect.
 3. The dog will then vigorously pursue the suspect. The suspect will turn and surrender to the dog. The suspect will surrender before the dog is within twenty five feet of him. The dog will detain the suspect by barking at him. The dog will not physically seize the suspect. The handler will approach the dog and call him to his side.
- H. Detainment (Attack or Flee)** - The purpose of this portion of the evaluation is to determine the police service dog's ability to respond properly to an attacking or fleeing suspect.
1. The police service dog will be at the handler's side. A suspect will run away from a distance of at least one hundred feet. The dog will not pursue the suspect until commanded by the handler.
 2. The handler will issue the appropriate announcement to the suspect. The suspect will continue running. The handler will command the dog to apprehend the suspect. The dog will then vigorously pursue the suspect.
 3. The suspect may either continue to flee or turn to attack the dog. The dog will engage the suspect. At this point the Call-Off during Fight exercise will begin.
- I. Call-Off During Fight** - The purpose of this portion of the evaluation is to determine the handler's ability to command the police service dog to release a hostile suspect and return to the handler's side.
1. The suspect will fight the dog.
 2. The handler will command the dog to release the suspect and return to his side.

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3. The dog will release the suspect and return to the handler's side without delay.
- J. Gunfire** - The suspect will appear from the side of the police service dog and fire .38 caliber shots. The handler must return fire. The police service dog must not apprehend until commanded. While the police service dog is running to apprehend, the suspect will shoot two or three more rounds, none of which will be fired within 15 feet of the dog. The handler must fire at least an additional two shots before the police service dog reaches the suspect. The police service dog must apprehend the suspect by biting him. The dog must bite and hold until commanded to "release." The dog will immediately release the suspect and return to a heel at the handler's side.
1. At the direction of the evaluator, the suspect may fire a round while the police service dog is on the sleeve.
 2. The police service dog will remain on the suspect by biting and holding.
- 509.46 Periodic Evaluation** - To maintain a high level of proficiency each Canine Team will be evaluated during regular training sessions. The evaluation will be conducted by the Canine Supervisor or his designee. The evaluation will be documented in the training summary report. Each of the exercises tested will have the same requirements as those exercises tested in the Canine Teams evaluation. The categories to be evaluated are:
- A. Obedience**
 - B. Apprehension**
 - C. Protection from vehicle**
 - D. Area search**
 - E. Building search**
 - F. A failure will most likely identify a training need and will dictate the primary focus of training. If the failure is one of critical importance, such as control, search ability, or detaining, the Canine Teams will be removed from operational duties and remanded to the Canine Supervisor until the problem is resolved. A recertification will then be conducted. Failure in a less than critical area, such as endurance, may result in removal from operational duties at the direction of the CPC.**

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- G.** Consistent failures (several over various evaluation periods or consecutive failures) may permanently remove the dog and/or handler from the Canine Program. This recommendation will be made by the Canine Supervisor and be approved by the CPC and the Uniform Services Division Commander.

509.47 Other Certifications

- A.** At least one time each year each Canine Team should attempt to acquire a field operational certification from the United States Police Canine Association, the North American Work Dog Association, or the National Police Canine Association. The Canine Teams must meet the minimum requirements of the obedience and apprehension phases of the test. Registration fees and other costs associated with the testing will be paid by the Department.

OR

- B.** At least one time each year each Canine Team should acquire certification through the State of Florida as a Police Dog Team.

OR

- C.** If the Canine Team fails to successfully achieve these requirements, it will be afforded an opportunity to retest. Should the Canine Team again fall short of these requirements, the Canine Supervisor (or Commander if the Supervisor is the handler in question) will evaluate the Canine Teams. He will at that time recommend further corrective training or, if appropriate, replacement of the dog, handler, or both members of the team.

509.48 Use of Controlled Substances as Training Aids

- A.** Each canine handler will be issued the following substances, when available, for training the assigned dog in drug detection. The quantity of controlled substance issued will be at the discretion of the Canine Supervisor, depending upon the type of training to be done. These are the only substances the dog will be trained to detect.

1. Cannabis
2. Cocaine
3. Hashish

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4. Heroin
 5. Methamphetamine
- B.** Controlled substances used in detection training will be obtained through the Drug Enforcement Administration. Training drugs may also be obtained through the Materials Management Unit only after the substance has been analyzed by FDLE and confirmed to be the specified controlled substance. This procedure will ensure the quality of the training drugs.
- C.** All training drugs will be securely packaged in the following manner to prevent loss of the substance.
1. The package will be sealed in a manner that would allow recognition of any attempts to tamper with its contents. The seal will be initialed by the Canine Supervisor and another member of the unit.
 2. Each individual package will be assigned a unique control number.
 - a. Cannabis will be assigned as M-xxxxxx
 - b. Cocaine will be assigned as C-xxxxxx
 - c. Hashish will be assigned as HA-xxxxxx
 - d. Heroin will be assigned as H-xxxxxx
 - e. Methamphetamine be assigned as ME-xxxxxx

This numbering system will take effect for any training drug obtained after July 1, 2008. Any drugs previously assigned will maintain their original assigned control number.
 3. Each individual package will be weighed prior to issuance. The weight will be written on the package.
- D.** An inventory (OMA509.48.E) of all drugs assigned to a member will be conducted upon issuance by the Canine Supervisor.
- E.** The Canine Handler will be responsible for the security of the controlled substances issued to him. All controlled substances will be stored in the member's trunk vault when not in use. Any time a member is unable to

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regularly monitor the security of his vehicle (extended leave), he must secure the training drugs in a safe provided at the main police facility.

F. An inventory will be conducted as follows

1. The member responsible for the training drugs inventoried, and one member with the rank of lieutenant or above must be present during the inventory.
2. Each drug package will be inspected for signs of tampering or other damage. A presumptive test will be conducted any time the integrity of a drug package appears to have been compromised. If the presumptive test does not confirm the substance as the controlled substance, the CPC will be notified immediately. Any damage found will be repaired immediately with a notation on the inventory form specifically describing the damage, how it occurred, and how it was repaired. If the damage had not been previously reported, the Canine Supervisor will notify the CPC in writing and the responsible handler will submit the required report immediately.
3. Documentation from the previous inventory will be used to ensure that all drug packages assigned to the member are present.
4. Each drug package will be weighed. The weight will be compared to its weight during the previous inventory. If the current weight is not reasonably similar to the previous weight, a notation will be made on the inventory form and the CPC will be notified in writing.
5. When all packages assigned to the member have been inspected and weighed, each member present will sign and date the inventory form.
6. The original inventory form will be maintained in a file with limited access. A copy of the inventory form will be forwarded to the CPC and the Accreditation Management Unit.

G. Inventories of all training drugs will be conducted

1. Once each year, unannounced
2. When issued to a member
3. When returned by a member

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4. At the discretion of the Chief of Police

- H. The Canine Supervisor will conduct quarterly inspections of all controlled substances issued to the Canine Handler. An inspection will account for the presence of all assigned drug packages and ensure that they are in good condition. The Supervisor may have the controlled substances quality checked to maintain their integrity.
- I. The CPC may conduct unannounced inspections and audits of all Canine Program controlled substances at any time. The results of the audit will be documented in a written report and forwarded to the Uniform Services Division Commander and a copy to the Accreditation Management Unit.
- J. A documented unannounced inventory of drugs used for canine training will be conducted at least once each year by the Canine Supervisor or as directed by the Chief of Police or CPC. The inventory includes ensuring compliance with procedures and an accounting of training drugs. The results of the inventory will be documented in a written report and forwarded to the Uniform Services Division Commander, CPC and a copy to the Accreditation Management Unit.
- K. The Canine Handler will make every effort to ensure that the controlled substances are not accidentally lost due to inhalation, ingestion or scattering by the dog. Any time a package of controlled substance is damaged so that a loss has or may occur, a case report will be written by the Canine Handler documenting the incident. Witness statements and photographs may be included in the case report.
- L. Any training narcotic packages which are determined to be lost, stolen or missing will immediately be reported to the CPC. Follow up investigation will be conducted by Internal Affairs thru the Officer Complaint Process.
- M. At the discretion of the Canine Supervisor, any person may be prohibited from assisting or being present during detection training.
- N. Controlled substances will be stored in a safe or steel cabinet with the following specifications:
 - 1. Thirty man-minutes against surreptitious entry
 - 2. Ten man-minutes against forced entry

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3. If the safe weight less than 750 pounds, it will be securely fastened to the interior of the structure housing it, such that it cannot easily be moved.
- O. Controlled substances which are no longer needed for training will be submitted to Property and Evidence for proper disposal after inventory.

509.49 Grooming Procedures

- A. Handlers will brush and examine their police service dogs each day. This visual and physical examination will enable the handler to immediately detect any parasites or irregularities exhibited on the dog. This may prevent or decrease the presence or severity of disease.
- B. Visual Examination - The handler should start with a visual examination of the police service dog and kennel area, paying particular attention to the eyes, coat, behavior and stools. The appearance of these is the best indicator of the dog's health. Observe the dog's behavior and attitude. Any drastic change in attitude; i.e., listlessness, lethargy, or stupor is a good indication the dog is ill. Vomiting or grass eating is not necessarily an indication of illness. Next, observe the dog's kennel area. Look for any change in stool firmness or content, vomit, blood or parasites. Observe the dog's gait and physical movements. Any irregularities such as, limping, stiffness, or sign of pain may dictate the need for an examination by a veterinarian and, therefore, must be reported to the Canine Supervisor as soon as possible.
1. Start with the police service dog's head and work back. Observe the dog's eyes; they should be clear and bright. Red, watery, runny or glassy eyes may be an indication of disorder.
 2. Observe the dog's nose, it should be moist, but not runny. A dry, warm nose may not be an indication of illness. Any mucous or blood emitting from the nose should immediately be examined by a veterinarian.
 3. Observe the dog's eyebrows, muzzle and ears. Any hair loss in the area may indicate the presence of mange mites. Crusty, weeping sores at the tips of the ears usually indicate the dog is the victim of biting flies.
 4. Observe the condition of the dog's coat. It should be shiny and lustrous. A dull, brittle coat may be an indication of internal parasite or disease.
- C. Physical Examination - A physical examination starts with the police service dog's head and works back towards the tail. First, check the dog's mouth,

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muzzle area, paying particular attention to any swelling of the face (indicating tooth abscess), and/or gums. Any broken or cracked teeth not previously observed should be examined by a veterinarian to determine if any dental work is necessary. The gums should be pink or in some cases black. Any red or whitish coloring of the gums may indicate disease and should be examined by a veterinarian. Providing the dog with hard dog biscuits daily should eliminate any tarter build-up or yellowing of teeth.

1. Run your hands over the police service dog's chin, muzzle, top, head and ears. Feel for any lumps, bumps, sores or irregularities and investigate them. Next, examine the ears. Note any orange or black wax inside the ears or any foul odor emitting from them. These may be signs of ear infection or ear mites and should be examined by a veterinarian. Next, examine the dog's body by running your hands (palpating) over the dog's entire body, including the neck, back, hip, chest, stomach, tail and legs, note any lumps, bumps, swelling, hair loss, sores, scabs, etc. Any incident of pain found during the physical examination will be brought to the attention of the Canine Supervisor immediately. He will determine if an examination by a veterinarian is necessary.
 2. Run your fingers through the dog's coat backwards, noting texture and any indication of external parasites (fleas, flea larva, flea feces, ticks, etc.). Examine the dog's anal area, noting any abscesses or swelling. These symptoms indicate impacted anal glands. If this condition exists, the dog will be examined by a veterinarian. Also, examine the anal area for external or internal parasites such as fleas or tapeworms. Next, physically examine the dog's paws. Look for any foreign objects such as sandspurs, burrs, thorns or glass embedded in the pads or between the toes.
 3. Observe the pads to determine if they are cut or raw, or any indication of external parasites. The areas between the toes and pads are common locations for flea nests.
 4. Next, place the police service dog in a down and roll it over on the back. Examine the stomach and genital area for any redness, lumps, bumps, sores or indication of external parasites. It is common for a male dog's penis to have a yellow or greenish discharge. However, any excessive dripping, discharge, or blood emitting from the penis should be examined by a veterinarian.
- D. Brushing** - Brushing is not only required for appearance, but it is necessary for the health of the dog. Brushing stimulates the skin and distributes oils

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throughout the coat. Brushing prevents matting and enables you to detect any skin disorder that may exist. Brushing should be done daily and should be accomplished with two types of brushes. First, use an undercoat rake to remove any loose or dead hair from the outer and under coat. Do not use this brush on the dog's face. First brush with the first lay of the coat, being sure to comb out any mats or tangles. Next, brush against the lay of the hair, using short strokes (approximately 6 inches in length). Be sure to include the tail and finally, brush with the lay of the hair until most of the dead coat is removed. Next, use a stiff bristle brush to smooth the coat and stimulate the skin. This can be accomplished with short, vigorous strokes. Include the muzzle, chin, face, ears and stomach.

509.50 First Aid and Emergency Treatment - First aid or emergency treatment usually is the same for dogs as for humans. A basic knowledge and application of first aid and common sense will usually be adequate until treatment by a veterinarian can be obtained. However, each handler should be aware of symptoms and emergency treatment of any major injuries, illnesses, or afflictions. The police service dog is a significant investment by the Department for which the handler is charged to care. The handler is expected to take every reasonable action to prevent and protect the animal from illness or injury.

A. Heat Stroke - Heat stroke usually occurs in dogs confined to a car or other enclosure with inadequate ventilation on a warm day. On a 75 degree day, temperature inside a poorly ventilated car may reach 100 degrees Fahrenheit. Puppies, short nosed dogs, fat dogs and older dogs are more susceptible than others. Symptoms of heat stroke are panting, increased pulse rate, reddened gums and an anxious or staring expression. Vomiting is common, and stupor and coma may occur if the stress is allowed to continue long enough. Rectal temperatures are high (106 to 109 degrees Fahrenheit). Immediate treatment by injection of 9cc Dexamethosone is necessary. If this is not possible, spray the dog with cool water, massage the skin and flex and extend the legs to assist circulation. Any dog suffering heat stroke will be examined by a veterinarian immediately.

B. Convulsions - Convulsions may be caused by any number of diseases or injuries. The most important action by you is to prevent injury to the dog by gentle restraint. This can be accomplished by placing a light blanket or towel over the dog. Do not place your hand in or near the dog's mouth. Swallowing of the tongue rarely occurs.

C. Hot Spots - Hot spots are generally a result of an allergic reaction to flea bites. Hot spots are caused by the dog biting the area of the flea bite which causes intense itching. Hot spots are characterized usually by circular hair

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loss, with the skin being raw and oozing a clear liquid. Hot spots usually occur in the rump and hip area, but can be anywhere the dog can bite and can appear within a couple of hours. Special lotions are available for treatment of this condition. In extreme cases, a steroid or corticoid injection may be necessary to relieve itching. The best prevention for hot spots is good flea control.

509.51 Retirement of Police Service Dogs

- A.** When the police service dog is no longer able to perform to the standards of the Department and it is determined that additional training will not modify its behavior appropriately, the dog will be evaluated for retirement status. The Canine Supervisor will evaluate the dog and forward his recommendation to the CPC. The CPC will note his observations and forward the recommendation to the Uniform Services Division Commander for a final decision.
- B.** If the police service dog is to be retired, he may be adopted by the canine handler to whom he is currently assigned. If the current canine handler does not wish to adopt the dog, former canine handlers may request to adopt him. If none of the dog's former handlers wish to adopt him, a member of the Canine Program may request to adopt the dog. If no member of the Canine Program desires to adopt the dog, any other person(s) may request to adopt him. In any circumstance, the person who requests to adopt the dog must be approved by the Canine Supervisor and CPC before taking possession of the dog.
- C.** The adopting person must sign a release of liability which states that the former police dog **will not** be employed as a police dog and that the City of Palm Bay is no longer responsible for any actions or inactions related to the dog.
- D.** The Canine Supervisor will be responsible to make every reasonable effort to locate a secure and comfortable retirement home for the former police service dog. However, if after a reasonable time, no persons request to adopt the dog, he will be euthanized.

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Reference: GO 510, 410. Appendices A-Terms, B-Selection Check-off Sheet, C-Probationary Check-off Sheet, D-Body Re-floatation Chart.			
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510.1 Purpose - The purpose of these public safety diving guidelines is to ensure all diving under the auspices of the Department's Underwater Recovery Team (URT) are conducted in manner that maximizes protection of the Public Safety Divers from accidental injury and/or illness. This Operating Manual sets forth minimal guidelines for the establishment of basic regulations and procedures for public safety diving operations. The Department URT's diving guidelines will include but not be limited to the following:

- A. Safety procedures for the diving operation.
- B. Responsibilities of the URT members.
- C. Equipment use and maintenance procedures.
- D. Reporting and documentation requirements.

510.2 Function - The Department's URT is responsible for the following:

- A. Conduct underwater search and recovery of evidence or bodies.
- B. Recover and salvage submerged vehicles involved in accidents.
- C. Underwater recovery of property lost by accident, negligence, or for any other reason.
- D. Promote water safety to the public and enforce local, state and federal law.
- E. Maintain and operate Department Watercraft.

510.3 Proficiency - Public safety diving is considered to be all diving performed by individuals necessary to and part of a fire, police or public safety activity conducted in conjunction with any project under the jurisdiction of the Department's Underwater Recovery Team.

- A. **Level of Proficiency Types** - URT requires that no person should engage in public safety diving unless that person has achieved a level of proficiency in police diving equipment and techniques as evaluated by the Training Officer of URT. The two types of proficiency levels are:

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1. **Probationary Public Safety Diver** - This level signifies that a diver has completed and been certified as at least a basic diver through a nationally or internationally recognized certifying agency. This person has not completed probation. These personnel will participate in diving situations that do not pose a significant risk or danger to the diver as decided by the URT Supervisor. Probationary Divers may be used, under structured supervision, to perform functions for which they have been trained.
2. **Public Safety Diver** - This level of proficiency indicates that a diver has completed probation and its associated training. This level allows Palm Bay Police Department URT members to dive as fully qualified divers within the Palm Bay Police Department URT's diving guidelines. The Training Officer and URT Supervisor will issue this level at the satisfactory completion of probation.

510.4 Minimum Qualifications for URT Positions

- A. **URT Supervisor** - The position of URT Supervisor is similar to a ranking structure. The minimum qualifications for a URT Supervisor are:
 1. Served as an Underwater Rescue Team Public Safety Diver for a minimum of three years, not including probation.
 2. Must be at least a certified rescue diver as recognized by a national Dive certification agency such as PADI.
 3. Must have adequate training in all aspects of rescue and search and recovery diving.
 4. Thirty logged URT dives.
 5. Selected by Uniform Services Division Commander.
 6. Must have attended and successfully completed the police underwater science and technology school, (80-hour course).
- B. **Public Safety Diver** - The following minimum requirements must be completed prior to becoming a Public Safety Diver and URT member:
 1. Completed probation as stated in section 510.6.

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2. Logged twelve Underwater Rescue Team open water dives.
3. Recommendation of the current URT members with the final recommendation by the URT Supervisor.

C. Training Officer - The Training Officer must meet the following requirements:

1. Served on the URT for at least 3 years.
2. Have a certification rating of Dive Master or higher.
3. Scuba instructor certification is preferred but not required.
4. Recommendation of the URT Supervisor.

D. Equipment/Maintenance Officer - This position is a multi-functional position and requires certain skills in equipment repair and maintenance. This position could be held by several members of the team and should work together in order to maintain the teams required gear. This position has no impact on personnel in a supervisory function and therefore may be filled with an individual of any rank with special skills in scuba repair and record keeping.

510.5 Selection Process <[Selection Score Sheet](#)>

- A. Selection Process** - The selection process will be followed as outlined in Intra-Agency Lateral Assignments <[GO 410](#)>. All applicants must possess, or be willing to become certified by a nationally recognized certifying agency, as a certified diver.
- B. Medical Evaluation** - The applicant must be cleared for diving through a medical evaluation.
- C. Practical Evaluation** - The applicant must successfully complete the following water skills in the presence of the Training Officer or URT Supervisor:
1. Swim underwater, without swimming aids, for a distance of seventy-five feet without surfacing.
 2. Swim ¼ mile nonstop without swim aids.

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3. Without the use of swim aids, tread water for ten minutes the last two minutes without the use of hands.
4. Dive to a depth of ten feet, recover a ten-pound object, and return to the surface.
5. Complete a black water-training scenario in a controlled environment.

510.6 Probationary Public Safety Diver Level - This level signifies that the trainee has successfully completed the entry requirements listed in Sections 510.4B. [<Probationary Check-off Sheet>](#)

A. Probationary Period - Each new team member who has met the entry requirements will be placed on a one-year probationary period. During this time, the member must complete Public Safety Diver Training Requirements. The probationary period ends based on the satisfactory/unsatisfactory ratings on that individual's Probationary Public Safety Diver Check-off Form [<Probationary Check-off Sheet>](#). The URT Supervisor and Training Officer will evaluate that person's performance. The two possible outcomes of this evaluation are as follows:

1. The individual has met all probationary requirements and is promoted to a Public Safety Diver.
2. The individual has performed sub-standard and his/her probation will be extended for six months. After the six additional months of probation, the individual will either be promoted or dropped from the team.

B. SCUBA Examinations - Public Safety Diver must pass a written and practical skill evaluation administered by the Training Officer. Both examinations must be completed prior to participating in other diving activities.

1. **Practical Examination** - The following skills must be demonstrated to the Training Officer in a swimming pool or confined water:
 - a. Assemble and don dive gear
 - b. Giant stride entry
 - c. Interpret line signals

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- d. Face mask clearing in pool
 - e. Bail-out procedure for full-face mask
 - f. Don and doff dry suit
 - g. Don and doff BCD underwater
 - h. Emergency ascent from 15 feet on alternate air source
 - i. Establish and maintain neutral buoyancy
 - j. Navigate a basic compass course
 - k. Demonstrate arc search, grid search, and anchor point search
 - l. Perform the proper line tending procedures
 - m. Set up and use underwater communications
 - n. Demonstrate the safe operation of the watercraft
- 2. Written Examination** - Before participating in additional diving activities the probationary member must score at least 80% on the written open-water exam provided by the Training Officer. This exam will test the trainee's knowledge of at least the following:
- a. Functions, use, care and maintenance of diving equipment
 - b. Physics and physiology of diving
 - c. Emergency procedures including emergency ascents
 - d. Currently accepted no-decompression, repetitive decompression and decompression procedures
 - e. Underwater signs and signals
 - f. Aspects of fresh water and altitude diving
 - g. Hazards of breath hold dives and ascents

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- h. Planning and supervision of diving operations
- i. Diving hazards
- j. Prevention, causes, signs/symptoms, and field treatment for: near drowning, motion sickness, hypo/hyperthermia, decompression sickness, exhaustion, panic and hypoxia, asphyxiation, cerebral arterial gas embolism, decompression sickness, dehydration, drowning, entanglement, miscellaneous soft tissue injuries, non-pulmonary barotrauma, pulmonary barotrauma, and toxic gas inhalation.

510.7 Risk Management - URT is committed to the safety and welfare of its personnel. A definition of other terms is listed in [<Definition of Terms>](#). This risk management plan includes at least the following:

- A. Risk Identification** - Potential problems; The following are risks associated with public safety diving: Asphyxiation, Cerebral Arterial Gas Embolism, Decompression Sickness, Dehydration, Drowning, Entanglement, Miscellaneous Soft Tissue Injuries, Non-pulmonary Barotrauma, Pulmonary Barotrauma, and Toxic Gas Inhalation.
- B. Risk Evaluation** - Likelihood of occurrence of a given problem and severity of its consequences; the probability of the above listed potential problems occurring are relatively low. All the above problems are normal risk factors associated with sport scuba diving. These potential problems are an increased risk for the Public Safety Diver. This is due to many factors including, but not limited to: entanglement, fatigue, improper gas supply, inadequate training, lack of chronological control, lack of site controls, reduced manual dexterity, reduced visibility, temperature extremes, stress and weather. The occurrence of a potential problem has the possibility to be catastrophic, causing severe injury or death to the Public Safety Diver.
- C. Risk Control Techniques** - Solutions for elimination or mitigation of potential problems:
 - 1. Asphyxiation** - To decrease the risk of breathing a cylinder completely empty, the following safety measures will be implemented: Maximum diving depth will be limited to seventy-five feet. No personnel will dive with less than **2000-psi** tank pressure when starting, and will surface with at least **500-psi** tank pressure remaining. No personnel should dive more than

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thirty minutes at a time. Both Line Tender and Diver will be aware of tank pressure at five minute intervals, checking and recording such pressures when visibility permits. If visibility poses a problem, the diver will surface after ten or fifteen minutes to determine accurate tank pressure.

2. **Cerebral Arterial Gas Embolism** - To decrease risk the following safety measures will be implemented: All dry suits will have an automatic dump valve to slow or prevent a rapid ascent. During routine ascents, a maximum ascent rate of thirty feet per minute will be followed.
3. **Decompression Sickness** - To decrease risk: No diver will purposely violate the PADI Recreations Dive Tables or U. S. Navy Dive Tables, which ever is being used for the dive. During routine ascents, a maximum ascent rate of thirty feet per minute will be used. No personnel should dive more than thirty minutes at a time, with at least thirty minute surface interval, or as allowed by recognized dive tables. Maximum diving depth will be limited to seventy-five feet. All dives not in the rescue mode, divers will execute a safety stop at ten feet for three minutes when the depth is over thirty feet.
4. **Dehydration** - To decrease risk all personnel should practice pre-hydration during warm weather. During rest periods, personnel should practice hydration and post dive hydration whenever possible. When necessary, the safety diver will stage in the water to prevent overheating.
5. **Drowning** - To decrease risk all personnel should, through regularly scheduled training, become comfortable and proficient with their equipment and skill level. All personnel, with the exception of a diver who is donning/doffing or wearing a buoyancy compensator, will wear a properly fitting USGC approved Type III or Type V personal flotation device while on any watercraft or vessel. All personnel will be trained in the proper method of dropping weight to increase buoyancy. Blackout pool training will be routinely performed to reduce panic probability. A standby diver will be in position and ready to render assistance in all diving modes unless otherwise authorized by the URT supervisor.
6. **Entanglement** - To decrease risk; Personnel will streamline all equipment to maintain a low profile. In the event of entanglement, each diver will wear a knife on his or her person. Standby divers will have additional extrication tools such as wire or bolt cutters at their disposal.

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- 7. Miscellaneous Soft Tissue Injuries** - To decrease risks personnel will wear gloves to protect their hands. Care should be exercised when working in an environment that would cause soft tissue injuries.
- 8. Non-Pulmonary Barotrauma** - To decrease risk no personnel should dive if feeling ill, with sinus congestion, sore throat or any other condition that might prohibit the equalization of enclosed body cavities.
- 9. Pulmonary Barotrauma** - To decrease risk ***no breath holding or skip breathing will be allowed.*** See safety measures listed above under "Cerebral Arterial Gas Embolism".
- 10. Toxic Gas Inhalation** - To decrease this risk Scuba breathing gas cylinders will only be filled at authorized dive shops or Fire Departments.
- 11. Risk Management Monitoring** - An annual review of accidents, near accidents and policy violations will be reviewed to determine if risk management plans are working as desired. If the risk management plan appears deficient, improvements will be made.

510.8 Responsibilities

- A. URT Supervisor** - The team's operational leader on an incident or during any training where diving will be conducted. When responding to an incident, the first arriving non-probationary public safety diver will assume the position of ICS Supervisor as specified in the incident command system.
 1. Will assign team member responsibilities.
 2. Will review and alter public safety diving guidelines annually or when requested by the agency or team personnel.
 3. Will review and approve training programs as suggested by the Training Officer.
 4. Will suspend diving operations that are considered unsafe or unwise.
 5. Will direct the Training Officer to suspend training programs that are considered unsafe or unwise.
 6. Will conduct a pre-dive briefing prior to commencing diving operations.

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7. Will formulate a dive plan.
8. Will review and approve equipment selection, purchase, and use, as submitted by team personnel.
9. Will create and submit for approval fiscal year budget suggestions.
10. Will review and approve facilities for the inspection and maintenance of diving associated equipment as recommended by the Equipment and Maintenance Officer.
11. Will have operational authority for the URT's diving program, including the training and issuance of Public Safety Diver levels and approval of training dive plans, as recommended by the Training Officer.
12. Will ensure compliance with this document and that all safety and operational requirements are followed by team personnel.
13. Will review and approve the Training Officer's recommendations for qualified persons as defined in [<Selection Score Sheet>](#) and Section 510.4 to assist in administering the training program.
14. Will maintain a current roster of team personnel.
15. Evaluate all call-out requests and determine the number of divers necessary to safely complete the operation.
16. Notify the on-duty commander and the URT Commander of significant activity involving the URT personnel.
17. Will conduct a post dive debriefing.
18. Will in the event of a diving accident resulting in injury to a diver suspend diving operations, impound, secure and photograph all of the injured diver's and standby diver's gear.
19. Ensure that the, training agenda, lesson plans and training summaries are completed. Ensure that training records are forwarded to the Training Section for retention.

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B. Training Officer

1. Will recommend, to the URT Supervisor, the issue, reissue or revocation of Public Safety Diver status.
2. Will locate/create and recommend, to the URT Supervisor, training programs that meet the requirements of these public safety diving guidelines.
3. May permit, after approval from the URT Supervisor, portions of the training program to be administered to qualified persons, as defined in [**<Definition of Terms>**](#).
4. Will plan, administer and record each training session.
5. Will ensure that training exercises are conducted in accordance with the established public safety diving guidelines and supervised by qualified persons, as defined in [**<Probationary Check-off Sheet>**](#)
6. Will maintain training records for each member indicating dates, subjects covered, satisfactory completion and any certifications achieved. All training records will be forwarded to the Training Section for retention.

C. Equipment/Maintenance Officer:

1. Will recommend, to the URT Supervisor, facilities for the inspection and maintenance of diving associated equipment.
2. Will be responsible for the maintenance/required service of the URT's equipment.
3. Will be certified in basic equipment maintenance through a nationally or international certifying agency, such as PADI.
4. Will log all equipment taken out of service and to let all team personnel know about the removal of these items.
5. Will ensure all diving equipment is serviced as required by manufacturer's recommendation, warranty requirements and recognized standards.

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6. Will log all equipment and repairs in the Sea Wolff Dive Log Computer Program for tracking purposes.

D. All Team Personnel will:

1. Clean and properly store all equipment at the completion of each incident/dive.
2. Only use URT gear on incidents and training dives unless otherwise approved by the URT Supervisor.
3. Not use/borrow URT gear without prior written permission from the URT Supervisor.
4. Members will ensure that a current phone number is given to the URT supervisor for use in the CodeRed call-out system.
5. Inspect all equipment for proper operation and condition prior to actual use.
6. Approach the URT Supervisor for training, equipment, safety and any other matters.
7. Report any equipment problems to the URT Supervisor and Equipment/Maintenance Officer.
8. Complete an incident report as required.
9. Will perform a minimum of **12** dives per year to maintain proficiency with basic scuba skills.
10. Ensure that all records pertaining to his/her diving certifications and training are properly maintained and logged.
11. Be responsible for notifying the URT Supervisor of any injury sustained on or off duty, which would interfere with their ability to dive.
12. Be assigned additional tasks and responsibilities as necessary.

510.9 Diving Regulations - No person will dive under the auspices of the Department URT unless they are a current Probationary Public Safety Diver level issued pursuant to the provisions of this directive.

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A. Diving Procedures

1. **Solo Diving Regulation** - All diving conducted under the auspices of the Palm Bay Police Department URT will be planned and executed in a manner to ensure that every diver, while underwater, maintains constant contact through effective communication with at least one other Public Safety Diver on the surface. This may be accomplished through electronic underwater communication or through line signals.
2. **Enclosed or Confined Spaces** - Where an enclosed or confined space is not large enough to accommodate two divers a diver will be positioned at the point of entry and an orientation device will be used. Cavern and cave diving will only be conducted when both divers have the appropriate training and certifications. The recommendations of the National Association for Cave Diving or the National Speleological Society-Cave Diving Section will be used.
3. **Diver's Flag** - The diver down flag will be displayed in a manner, which allows all around visibility during all public safety diving operations where the possibility of marine traffic exists. The flag will be illuminated during night diving operations. Perimeter watercraft or vessels will also be used to protect the divers when necessary.
4. **Personal Flotation Devices** - All personnel with the exception of a diver who is donning/doffing or wearing a buoyancy compensator will wear a properly fitted USCG approved Type III or Type V personal flotation device while on a watercraft. Each diver must possess the capability of attaining and maintaining effective buoyancy control. An inflatable exposure suit will not be used as the sole source of buoyancy.
5. **Timing Devices, Depth Gauges and Pressure Gauges** - Both members of an un-tethered diving pair must have a submersible time keeping device. The tended diver's line tender must have a time keeping device. All divers must have a submersible depth indicator with a maximum depth marker and a submersible primary tank pressure gauge.
6. **Dive Tables and Computers** - A nationally recognized dive table must be at each dive location where the depth is over 30 feet. Individual divers may also utilize diving computers under the following conditions:

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- a. Only those dive computers and dive tables that have been studied and approved by the URT Supervisor may be utilized within the diving program.
- b. The Training Officer will ensure and document that any personnel using a dive computer or dive table is trained to understand basic decompression theory and properly operate the dive computer/dive table by which he/she dives.
- c. Each diver must rely on dive tables to plan their dive. In rescue mode, the Diving Supervisor or the Safety Officer can perform this. Each diver relying on a dive computer to indicate or determine decompression must have his/her own unit. A diver who is not equipped with their own dive computer is prohibited from relying on a computer worn by another diver.
- d. On any dive using a non-tethered diving pair, both divers in the pair must follow the most conservative dive computer or dive table.
- e. If a non-tethered diver's computer fails to operate properly, the dive will be immediately aborted using the appropriate surfacing procedures.
- f. Ascent rates will not exceed thirty (30) feet per minute.
- g. When possible all divers will make three (3) minute safety decompression stop at ten (10) feet for any dive thirty (30) feet or deeper.
- h. No diver will knowingly violate the no-decompression limits of the dive computer or dive table they are using.**
- i. Repetitive and multi-level dives should start at the maximum planned depth followed by willow exposures. (Deepest dives first)
- j. Multiple deep dives approach the limits of the dive table, dive computer's capability, and require special consideration and planning.
- k. During dives in which dive computers are being used the divers will have the capability for redundant depth and time measurements. Throughout all dives, the diver will maintain an awareness of maximum depth and bottom time.

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- I. In the event of an omitted required decompression, the diver will be placed on 100% oxygen and emergency medical personnel will be summoned to evaluate the diver. **Returning to depth to decompress after surfacing is not an option.**

B. Refusal to Dive

1. The decision to dive rests with each individual diver. Team personnel may refuse to dive without fear of penalty whenever he/she feels it is unsafe or they are unfit to dive.
2. Ultimate responsibility for personnel safety rests with each team member. It is the individual diver's duty and responsibility to refuse to dive if in his/her judgment conditions are unsafe, unwise or if diving would violate the precepts of his/her training or the guidelines of this document.

C. Termination of Dive

1. It is the responsibility of the individual team member to terminate a dive, without fear of penalty, if he/she feels it is unsafe to continue. If this termination involves the standby diver, the termination should be delayed until another diver is dressed and ready to assume the duties of the standby diver if possible.
2. All dives will be terminated while there is sufficient primary cylinder pressure, which will permit the diver to do the following:
 - a. Safely reach the surface with at least 500-psi primary cylinder pressure including a three-minute safety stop.
 - b. It is suggested that an ascent to the surface be initiated before the primary cylinder pressure reaches 800 psi.
3. The URT or Diving Supervisor may terminate an individual dive and/or the entire diving operation at any time for safety or other operational reasons.

D. Diving Operations

1. **Diving Supervisor** - The Diving Supervisor is the URT operational leader on an incident or during training where diving will be conducted. When

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responding to an incident the first arriving non-probationary Public Safety Diver will assume the position of Dive Supervisor.

- a. Diving will be coordinated with other activities in the vicinity that are likely to interface with diving operations.
- b. Pre-dive briefing - the diving team will be briefed on:
 - Operational mode, dive objectives and personnel assignments.
 - Any hazards or environmental conditions likely to affect the safety of the diving operation.
 - Safety procedures and contingency plans.
 - Any modifications to diving or emergency procedures necessitated by the specific diving operation.
 - Required reporting of any physical abnormalities or adverse effects.
- c. **Pre-dive planning** - Planning a diving operation will include considerations related to the safety and health aspects of the following:
 - Diving mode
 - Surface and underwater conditions/hazards
 - Breathing gas supply
 - Thermal/Environmental protection
 - Underwater communication
 - Diving equipment
 - Personnel assignments
 - Search pattern to be used
 - Decompression schedules and altitude corrections

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- Decontamination procedures
- Entry and exit procedures
- Emergency procedures

d. Personnel rehabilitation - The Diving Supervisor will maintain an awareness of the condition of personnel operating within their span of control and ensure that adequate steps are taken to provide for their safety and health. Additional URT personnel or mutual aid divers can be requested if needed.

2. Dive Plans - Before conducting any dive, the URT Supervisor or Diving Supervisor should consider the following:

- a.** Personnel involved and their qualifications as well as the Public Safety Diver level held by each participating diver
- b.** One diver in each buddy team or other operational underwater group will be the diver in charge
- c.** Approximate number of proposed dives
- d.** Location of proposed dives
- e.** Anticipated depths and bottom times
- f.** Current environmental conditions such as temperature, current, visibility, etc.
- g.** Proposed work, equipment, boats to be employed, repetitive dives and details of any anticipated hazardous conditions

3. Pre-Dive Safety Checks

- a.** Each diver and his/her assigned line tender/dive buddy will conduct a functional check of all diving equipment. Including but not limited to; primary breathing gas supply system, all regulators, mask, buoyancy compensator, and thermal protection;

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D. Personal Diving Log - Each dive made under the auspices of the URT Public Safety Diving program will be documented and logged in the Sea Wolff Dive Log Program. The dive log should include at least the following:

1. Name of diver, diving buddy, and/or diver in charge.
2. Date, time, incident # and location of dive;
3. Depth and bottom time;
4. Equipment used;
5. General nature of diving activities;
6. Underwater and surface conditions;
7. Details of any accidents or potentially dangerous occurrences.

E. Record Maintenance - The department's training division will maintain permanent records for each individual diving under the auspices of the URT. This file will include evidence of certification, documented hours and types of training and any other pertinent information as deemed necessary.

1. Availability of records

- a. Records of call-outs, training, dives, equipment, and equipment service will be recorded in the Sea Wolff Dive Log Program.
- b. The Training Officer will maintain training records for each member indicating date, subjects covered, satisfactory completion and any certifications achieved. Copies of all training records will be forwarded to the Training Section.

2. Required Accident Reporting - All injuries to team personnel are to be documented as required by City of Palm Bay Rules and Regulations. In addition, notification will be made immediately to the URT Supervisor and URT Commander.

510.11 Serious Injury or Death - In the event of a serious injury or death during a diving operation the injured diver's gear will be secured and handled as evidence.

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Notification of serious incident will be reported via chain of command [<GO 303>](#). The URT Supervisor will ensure that all regulators, gauges and other related equipment are photographed prior to sealing it in the evidence containers. Gauge pressures, depth, dive table status and bottom time will be recorded as soon as possible. [<GO 225>](#)

A. Additionally, the following consultation agencies are available for use:

- | | |
|-----------------------------------|----------------|
| 1. Divers Alert Network | 1-919-684-8111 |
| 2. Dive Rescue International Inc. | 1-800-248-3483 |
| 3. IADRS | 1-800-423-7791 |
| 3. Lifeguard Systems Inc. | 1-914-331-3383 |

B. Investigation - The death investigation will be conducted by FDLE or outside investigative body as determined by the Chief of Police or designee.

510.12 Equipment - All equipment will meet standards as determined by the Maintenance Officer and approved by the URT Supervisor. Only personnel with appropriate training will use those makes and models of equipment specifically approved by the Training Officer. All equipment should be standardized and compatible. The URT Supervisor must approve use of any personal gear.

A. Inspections - All URT equipment will be inspected as directed in GO 109 by the URT Supervisor. Copies of the inspection report will be forwarded to the URT Commander and the Accreditation Management Unit. The Maintenance Officer will maintain inventory records.

1. All inspections, tests and maintenance must be accomplished by a technician or facility approved by the URT Supervisor via the Maintenance Officer.
2. Equipment that is subject to excessive usage under adverse conditions should receive more frequent testing and maintenance than is required for sport scuba diving equipment use.

B. Record Keeping - Each equipment repair or annual maintenance will be logged including the date and nature of work performed serial number of item and the name of the person performing the work.

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C. Breathing Masks and Regulators - Breathing masks will have a non-return valve at the attachment point between the mask hose that will close readily and positively, and exhaust valve and a minimum ventilation rate capable of maintaining a diver at 75 feet of depth. Scuba regulators will be inspected and tested by the diver prior to each use and receive annual service by an authorized repair technician.

D. SCUBA Cylinders - Scuba cylinders will be hydrostatically tested at least every five years. A visual cylinder inspection (VIP) will be conducted at intervals not to exceed twelve months.

E. Auxiliary Equipment

1. All assigned dive gear will be maintained and inspected by the respective diver.
2. All assigned dive gear will be inspected and tested by the diver prior to each dive.
3. All weight systems and backpacks must be equipped with quick release devices designed to permit jettisoning the entire gear. The quick release device must operate easily with a single motion from either hand.
4. Buoyancy compensators, dry suits and any other variable volume buoyancy compensation devices will be equipped with an exhaust valve. Buoyancy compensation devices should have a reliable rapid exhaust valve that can be operated in a horizontal swimming position. These devices as well as any associated auto inflation devices will be functionally inspected prior to each use. Dry suits should have a hands free exhaust valve.
5. Nationally recognized no decompression dive tables will be on site for all diving operations over sixty (60) feet.

F. Cylinder Air

1. **Air station** - Scuba cylinders will only be filled at the Fire Department or a reputable Dive Shop.
2. **Nitrox** - Nitrox and other special mixtures must be specified upon the advice of a competent authority and approved by the URT Supervisor. All team

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personnel on a dive in which special mixtures are used will be appropriately trained.

510.13 Medical Examinations

A. Medical Requirements

1. URT Personnel will pass a diving physical examination as established by City policy.
2. Personnel should be free of any chronic disabling disease or conditions that would preclude them from diving.

B. Frequency of Medical Examinations - Medical examinations are required in the following instances:

1. Individuals are applying for team membership and prior to diving under the auspices of the URT
2. After each major injury, illness or surgery
3. After any episode of unconsciousness
4. After any hyperbaric related injury

510.14 Safety Requirements - The following is a list of requirements designed to decrease injury or death to members of the URT. Personnel may deviate from these Public Safety Diving Guidelines to the extent necessary to prevent or minimize a situation that is likely to cause death, serious physical harm or major environmental damage.

A. Supervisor Approval - No diver will enter the water until directed to do so by the URT Supervisor or Diving Supervisor on scene.

B. Briefing - No diver will enter the water until a briefing has been completed.

C. Standby Diver - A standby diver should be designated and equipped to enter the water if necessary on all dive operations. There are certain circumstances where a standby diver may not be necessary as determined by the URT Supervisor and team members who are performing the dive.

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1. The standby diver will be deployed when the primary diver fails to respond correctly to communications or line signals, communications are lost and cannot be quickly reestablished or when the primary diver communicates they need assistance.
 2. When possible a staffed boat or watercraft should be in the water to assist a diver in distress.
- D. Dive Limits** - Personnel should not dive for more than sixty (60) minutes per dive. At least a thirty minute surface interval should separate every dive, or as required by diving tables.
1. Maximum diving depth will be seventy five feet unless a deeper dive is approved by the URT supervisor.
 2. No diver will be permitted to violate the no decompression limits of the nationally recognized diving tables being used for that dive.
 3. During non-rescue diving, an ascent rate of no more than thirty feet per minute will be used.
 - a. All divers not operating in a rescue mode will execute a safety stop at ten feet for three minutes when the diving depth exceeds thirty feet.
 - b. Whenever possible the diver should be rinsed down prior to doffing his/her gear.
- E. Diver Equipment** - Divers should be equipped with the following: Buoyancy Compensation Device (BCD) with power and manual inflator, 1 knife, full face regulator, primary breathing gas cylinder, Alternate air source, fins, quick release weight system, dry suit with automatic and manual pressure relief valve, gloves, recording depth gauge, submersible pressure gauge (SPG), watch/bottom timer and underwater communications.
1. During night dives, divers should be equipped with two functioning underwater lights and two cylume glow sticks. The glow sticks should be activated and attached to the diver's gear for the best all around visibility.
 2. Upon the recognition/notification of a potentially serious problem with their diving equipment, a diver will immediately exit the water for gear repair or replacement.

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3. An inflatable exposure suit by itself will not be used as a sole source of buoyancy.
4. Minimum Cylinder Pressure - No diver will initiate a dive with less than 2000-psi primary breathing gas cylinder pressure. Cylinders containing less than 2000 psi are considered empty. All personnel must surface with no less than 500-psi primary breathing gas cylinder pressure.
5. Tanks equipped with "J" valves will not be used.

F. Other Equipment

1. **Ear Wash** - An ear wash solution will be on site and available for use, to prevent ear infections.
2. **Communications** - No diving operations will be conducted when the URT Supervisor or Diving Supervisor does not have immediate access to a radio, cellular telephone or landline telephone.
3. **First Aid** - All operations will have the onsite first aid kit, and water cooler.
4. **PFD's** - All personnel with the exception of the diver equipped with a buoyancy compensation device or donning/doffing a dive ensemble, will wear a USCG approved Type III or Type IV personal flotation device while on a boat or watercraft;

G. Assignments - Line tenders and standby divers will not be assigned any other tasks or be distracted away from their responsibilities.

1. One member will be assigned the duties of communicating with the diver via underwater communication and may be assigned the dive log duty.
2. Upon surfacing all divers will give the "OK" signal, unless they are in distress and in need of assistance.

H. Dive Termination - A dive will be terminated when a diver requests termination, when thirty-minute time limit expires, when the diver's primary breathing gas supply cylinder reaches 500 psi or when any unsafe conditions are observed.

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510.15 Operational Procedures

- A. Diving Supervisor** - The first arriving non-probationary URT member will assume command of the diving operation. Certain tasks, such as gathering and documenting the facts from the Incident Commander, interviewing witnesses, establishing a last seen point, determining the number of victims, deciding the mode of operation and determining if additional resources are needed should be immediately addressed. The initial Diving Supervisor will not automatically be relieved of command until expressly informed by the URT Supervisor upon his arrival on scene of the dive operation.
- B. Advanced Life Support** - When operating in the rescue mode an Advanced Life Support (ALS) equipped and staffed unit will be responding to or on the scene prior to commencing diving operations. On difficult recovery operations, this will be left to the discretion of the Diving Supervisor.
- C. Diving Team Assignments and Responsibilities** - The following is a list of diving team assignments and their associated duties. A standard diving team should contain a minimum of five personnel one primary diver, one standby diver, one line tender, safety officer and a dive supervisor.
1. The **Primary Diver** is responsible for the initial search and recovery effort. In the rescue mode, this should be a very experienced diver.
 2. The **Line Tender** is responsible for assisting the diver in donning gear, checking the function of the diver's gear and the diver's primary breathing gas supply pressure. They should also review line signals, emergency procedures and perform a final overview of the objective for the diver. The line tender should also assist the diver in and out of the water. The line tender will immediately notify the Diving Supervisor of any potentially hazardous situations.
 3. The **Standby Diver** will maintain a constant awareness of the number and identity of personnel underwater, their location, function and time of entry. The standby diver will maintain a position close to the line tender for deployment if necessary. The standby diver should be equipped with several cutting devices including a knife, wire cutters, etc. for the diver in need of assistance.

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4. The **Diving Supervisor** is the URT Supervisor and/or operational leader on an operation. The Diving Supervisor has final authority over all operational objectives.

D. Loss of Search Line - A diver that becomes disconnected from his/her search line should quickly attempt to locate the search line. If that is unsuccessful, the diver will notify the line tender via underwater communication and must immediately begin a safe ascent to the surface.

E. Diving Signals - The following line signals or rope tugs are to be used on all diving operations.

1. Line Tender to Diver

- a. 1 pull - Are you OK? / Tighten the line / Stop
- b. 2 pulls - Turn
- c. 3 pulls - Another diver or standby diver is entering the water
- d. 4 pulls - Come up immediately

2. Diver to Line Tender

- a. 1 pull - I am OK.
- b. 2 pulls - Give me more line.
- c. 3 pulls - Found the item.
- d. 4 pulls - I am in trouble and need immediate help.

F. Evidence Recovery

- 1. **Evidence Containment** - All evidence should be secured and contained prior to bringing it to the surface. Cadavers should be bagged underwater.
- 2. **Evidence Measurement** - When possible all evidence should be measured from surface above the object to the object, distance from shore to surface

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above the object and distance from the shoreline directly to the object. This triangulation will provide an accurate measurement.

3. **Evidence Photography** - When possible all evidence should be photographed prior to surfacing the evidence. If this is not possible, the surface photography of evidence will be left to the discretion of a law enforcement officer or the Diving Supervisor in his/her absence.
4. **Chain of Custody** - Only the diver recovering the evidence will handle the evidence. The evidence and its container will be hand delivered to the appropriate on scene law enforcement officer or crime scene technician.

G. Call-outs

1. The URT Supervisor will make the determination as to how many divers are needed at a search or rescue scene. A minimum of four divers should normally be requested to ensure that all required on scene positions, as specified in section, are filled.
2. URT members will be notified via CodeRed of the call out. Any member who is not able to respond will immediately notify the Comm. Center.
3. Once in route the URT members will log on the radio and communicate with the URT Supervisor of where to meet and what the immediate assignments are.

510.16 Uniforms

- A. **Dress Shirt** - The URT members will be provided one collared dress shirt to be worn during unit presentations, schools, or other appropriate functions.
- B. **Work Shirt** - The URT members will be provided two tee shirts, which will be worn during training and during call-outs.
- C. **Work Shorts** - The URT members will be provided one pair of shorts, which may be worn with the dress shirt or the work shirt.
- D. **Work Pants** - The URT members will be provided one pair of pants, which may be worn with the dress shirt or the work shirt.

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- E. Sweatpants and Jacket** - The URT members will be provided one pair of sweat pants and a hooded sweatshirt to be used during cold weather.

510.17 Watercrafts

- A. Purpose** - It is the purpose of this section to provide guidelines to develop and maintain safe, effective, and efficient Watercraft. Members authorized to operate the Watercraft will be properly trained, equipped, and proficient in the safe use and care of the vessel.
- B. Authorized Members** - Only those members who have been selected and approved by the Uniform Services Division Commander, or designee, will be authorized to operate the Watercrafts. The authorized member must successfully complete a Department approved training program for the specific Watercraft before the member is operational with the Watercraft. The Uniform Services Division Commander or designee will maintain a list of authorized and trained Watercraft operators.
- C. Operational Objectives** - The Department's Underwater Recovery Team (URT) utilizes Watercraft to perform the following duties:
1. Enforce applicable regulatory laws, statutes, and ordinances related to boating and marine safety.
 2. Enforce all criminal Laws, statutes, and ordinances.
 3. Protect the lives and property of citizens utilizing the City's waterways.
- D. Instructions, Conditions and Limitations of Usage** - URT members may perform special duties and activities outside their normal task of patrolling the waterways, which include the following:
1. Assist City Departments in performing marine related functions.
 2. Assist other police and governmental agencies.
 3. Serve as a liaison between the Department and other local, state, and federal agencies on marine issues.
- E. Usage Authorization** - Members assigned to URT are authorized to use Watercraft in the performance of their general duties.

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F. Qualifications and Training for Authorized Members

1. URT members are selected based on the qualifications listed in this Operating Manual.
2. URT members will be allowed to operate the Watercraft only after the successful completion of the vessel operations and maintenance training.
3. The URT Team Leader or his designee will schedule and provide the training.

G. Member(s) Responsible for the Vessel's Maintenance and Condition - Normal repairs and maintenance required on the Watercraft:

1. Since Watercraft is on loan as part of the Law Enforcement Loaner Program, the dealer leasing the Watercraft or the manufacturing company will complete all maintenance and repairs on the vessel.
2. No repairs or maintenance on the Watercraft will be completed without first obtaining permission from the URT Supervisor.
3. URT members will schedule routine and preventative maintenance with the dealer or manufacturing company.

H. Equipment - Equipment required when operating the Watercraft. [**<URT Equipment Form>**](#)

1. URT Members will ensure that the Watercraft is maintained in proper working order.
2. The use of the following Coast Guard approved safety equipment is mandatory when operating the Watercraft. All equipment will be maintained in proper working condition.
 - a. Life-Vest.
 - b. Whistle
 - c. Fire Extinguisher.

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- e. Kill Switch worn by operator.
 - f. Trailer.
3. All equipment will be maintained in proper working condition.

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511 Policy - The members of the Agency's Command Post Team, CPT, are specially trained to operate the Command Post Vehicle. The team is used to respond to any protracted event which would benefit from the use of the Command Post Vehicle.

511.1 Definitions

- A. CPT-** Command Post Team
- B. ICS** - Incident Command System
- C. CPT Liaison** - CPT members who are specially trained in the operation of the electronic equipment of the Command Post Vehicle.
- D. CPT Operator** - CPT members who are specially trained and authorized to drive the Command Post Vehicle.

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- E. CPT Technical Officer** - CPT members who are specially trained to operate and trouble shoot the computer equipment on the UCC Vehicle.
- F. CPT Equipment Officer** - CPT members who are designated by the CPT Leader to inventory, inspect, and reorder equipment on the UCC vehicle as needed.
- G. UCC** - Unified Command Center

511.2 Responsibilities

- A. CPT Leader** - The Team Leader must be able to motivate and supervise the activities of team members. The Team Leader must be capable of deployment and operation of the Command Post Vehicle. The Team Leader determines, develops, coordinates and may administer In-House Training for CPT members. The team leader will designate an alternate team leader to address these responsibilities in his absence at an incident. The CPT leader has the overall responsibility of the Command Post Vehicle. This is an appointed position by the Chief of Police.
- B. CPT Operator** - The CPT Operator is responsible for the safe operation of the vehicle during deployments. The operator is in charge of the safe deployment and demobilization of all functions (i.e. masts, satellite dish, leveling hydraulics, slide-outs, etc.). The operator will not be assigned to any other positions unless relieved by another trained driver. Sworn members are exempt from the CDL requirement.
- C. CPT Liaison** - The team liaison is responsible for mapping out the route the CPT Operator needs to follow to the scene of an incident. This ensures that any low hanging vegetation, load requirements, etc. are avoided during the response of the vehicle. The CPT Liaison is also responsible for coordinating the vehicle/personnel activities while at the scene of a deployment. In addition, the CPT Liaison will:
 1. Determine a safe location to park the UCC Vehicle.
 2. Ensure that all needed electronic equipment is activated and ready for use upon deployment.
 3. Make contact with the Incident Commander to ascertain the support needed to accomplish the assignment.
 4. Coordinate all equipment functions and instruct mission critical personnel on the use of the electronic equipment as needed.

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5. Upon demobilization, ensure that all electronic equipment is properly shut down and stowed.
 6. Assist with the departure and parking of the UCC Vehicle upon demobilization.
- D. CPT Technical Officer** - Responsible for maintaining the UCC Vehicle computer equipment.
- E. CPT Equipment Officer** - Is responsible for ensuring all items in the Command Post are accounted for and inventoried as required by GO 109. The CPT Equipment Officer will also ensure that any item which needs replacement is done on a timely basis.

511.3 Equipment

- A. Usage** - The CPT may utilize any equipment that is on the UCC Vehicle after being properly trained. This equipment may only be used in accordance with current laws and policies.
- B. Inspection and Inventory** - The CPT Equipment Officer will ensure that the UCC Vehicle is fully stocked with all necessary supplies to include office items. The CPT Equipment Officer will also ensure that all office supplies are stocked and available for use after each deployment. Will replenish supplies as needed. All equipment will be inspected as directed by [<GO 109>](#).
- C. Proficiency and Care** - All CPT members will maintain proficiency on the use of all equipment and have general knowledge on proper care commensurate with their assigned position.

511.4 Selection - Members seeking positions in CPT will follow the requirements set forth in [<GO 410>](#). Additional requirements for each position are as follows:

A. Minimum Qualifications for CPT Operator

1. Not on probation at time of application.
2. Satisfactory driving record.
3. Satisfactory job performance in present and previous assignments.
4. Have a satisfactory Internal Affairs record.
5. Must be willing to respond to call outs.

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6. Must complete any ICS courses as determined by the CPT Leader.

B. Minimum Qualifications for Liaison

1. Not on probation at time of application.
2. Satisfactory job performance in present and previous assignments.
3. Have an acceptable Internal Affairs records.
4. Must be willing to respond to call outs.
5. Must complete any ICS Courses as determined by the CPT Leader.

C. CPT Technical Officer

1. Not on probation at time of application.
2. Satisfactory job performance in present and previous assignments.
3. Acceptable disciplinary file.
4. Experience in Router, hub, and NIC configurations.

D. CPT Equipment Officer - Must be a current member of the CPT.

E. Exemption to Minimum Requirements - Exemptions to any of the minimum requirements may be granted at the discretion of the Chief of Police.

511.5 Withdraws/Removals - Team members may voluntarily withdraw from the CPT at any time, for any reason. A CPT member may be removed without cause, when deemed necessary for the good of the team and when approved by the Support Services Commander or Chief of Police.

511.6 Participation - All members of the CPT will have active participation in any training assignments and will show diligent efforts in responding to call outs. Any member who fails to satisfy this requirement will be subject to removal from the team.

A. Training Absences - CPT members who know they will be absent in advance of a scheduled training will notify the CPT Leader or designee of the absence at least a week in advance. CPT members will have an 'excused' absence in the following circumstances:

1. Medical necessity

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2. Court
3. Operational necessity
4. Pre-approved leave time
5. Any circumstance which is approved by the CPT Leader or designee

B. Call-Out Absences - CPT members who continually are unable to deploy to call outs will be subject to removal unless there is an approved reason as listed above.

511.7 Training

A. Newly Selected Members - The CPT Leader will assign training to all new members upon their selection specific to their position.

1. All training will be conducted by a CPT member who is authorized by the CPT Leader or designee.
2. Only trained CPT members will be allowed to respond in solo status to any call-out.

B. FEMA Training Courses - All CPT members will have completed all applicable ICS courses as soon as possible.

C. Bi-Monthly Training - All CPT members will meet every two months for training unless excused by the CPT Leader or designee. Unexcused absences are defined as failing to attend scheduled training without prior notification or authorization from the Team Leader. Unexcused absences may result in suspension or dismissal from the team.

1. All CPT training will be based on current Agency approved lesson plans.
2. Training attendance rosters will be completed via DMS and electronically stored at the end of each training session.

511.8 Uniforms and Clothing - Members will wear their CPT issued shirt and khaki BDU pants.

511.9 Deployment - Members of the CPT will be activated in the event that an incident extends beyond the resources available to the on duty shift or at any time deemed necessary by the on-duty commander or Division Commanders.

A. General Provisions

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1. All deployments will have a minimum of two (2) CPT members respond, the CPT Operator and one Liaison. This may be expanded or decreased based upon operational need.
2. The CPT Operator and an assigned Liaison will respond to the Police Department and prepare the UCC Vehicle for deployment.
3. The CPT Liaison designated by the CPT Leader will respond to the incident location, noting the safest path of travel for the UCC Vehicle. The safest path of travel will be reported back to the CPT Operator via police radio or cell phone.
 - a. If unplanned, a designated CPT Liaison will make contact at the scene with the Incident Commander to ascertain what is needed from the team, (support, electronics set up, training, etc).
 - b. The CPT Liaison will determine a safe parking location for the UCC Vehicle. If the Incident Commander disagrees with the location the CPT Liaison has chosen, the CPT Leader or Support Services Commander or designee will be contacted to determine how to proceed if needed and not currently on-scene.
4. After being notified of the safest travel route, the CPT Operator will proceed to the location of the incident **after** completing the UCC Deployment Checklist.
 - a. Copies of the UCC Deployment and Demobilization checklist are available in DMS.
 - b. Copies of both forms are also available inside the UCC Vehicle.
5. Upon arrival at the incident location, the CPT Operator and Liaison will deploy the UCC Vehicle.
 - a. If the Incident Commander requests, the CPT Liaison will operate the electronics in the vehicle.
 - b. If requested by the Incident Commander, the CPT will relinquish control of the electronics of the vehicle (after having trained a member of the incident team).
 - c. Members of the CPT will remain with the UCC vehicle at all times, even if control of the electronics is relinquished to members of the incident team.

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- d. At the discretion of the Incident Commander, a CPT Liaison may be assigned radio duties or any other assignment deemed necessary.
6. If CPT members determine that a relief team or additional CPT members are needed, they will contact the CPT Leader or designee who will make arrangements as needed.
7. Members of the CPT will ensure that only those persons who are authorized by the Chief of Police, Support Services Commander, CPT Leader, or Incident Commander are allowed on the UCC Vehicle.
 - a. Members of the public are not allowed on the UCC Vehicle during any actual deployment unless deemed necessary by the Incident Commander.
 - b. The UCC Vehicle **will not be used** during any actual deployment as a media location.
- B. Call-Outs or Unplanned Deployments** - The UCC Vehicle may be requested by any Incident Commander during the course of a protracted or critical incident where the support services provided by this vehicle would benefit the incident. **The Chief of Police and the Staff Duty Officer will be notified immediately in the event another city department or Police or Fire Department requests the UCC vehicle.**
 1. CPT members will make themselves available for call outs on short notice. CPT members will make the CPT Leader aware of any pending vacation/comp time requests.
 2. Upon authorization from an Incident Commander:
 - a. The Communications Center will send out a Code Red page out to the CPT team and the CPT Leader.
 - b. The CPT members will contact the CPT Leader to confirm that they are responding to the incident.
 - c. The CPT Leader or designee will assign the team members who are to respond.
- C. Demobilization** - After the incident commander has determined there is no longer a need for the CPT Vehicle, the following will occur:
 1. The CPT Operator and Liaison will complete the UCC Checklist for Demobilization.

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2. Both the CPT Operator and Liaison will ensure that all items are properly stowed prior to leaving the scene.
3. The CPT Operator will respond to the station and a CPT Liaison will follow the vehicle.
4. The CPT Liaison will assist the CPT Operator in properly parking and stowing the CPT Vehicle prior to going off duty.
5. All completed UCC forms will be submitted to the CPT Leader at the conclusion of the deployment.

D. Incident Commander Responsibilities - The Incident Commander will ensure that the minimum number of personnel is allowed access to the UCC Vehicle during any incident. In addition:

1. Ensuring the safety of the CPT members.
2. Ensuring that members of the media are not allowed near or in the CPT Vehicle during any actual deployment.
3. Completing the UCC Deployment Form and submitting it to the CPT Leader within a week of deployment.
 - a. This form measures the effectiveness of the UCC Vehicle
 - b. Offers any additional requests for future deployments
 - c. Critiques the CPT members who responded to the scene for overall effectiveness.

511.10 Interaction among CNT, SWAT, Incident Command, and CPT - CPT members will be familiar with the SWAT and CNT General Orders as well as the Incident Command System Operating Manual [<OMA 215>](#).

511.11 Call-out Process

- A. Call-out Criteria** - The CPT may be called out for critical incidents or in any situation which is deemed necessary by an Incident Commander.
- B. Code Red** - CPT members will ensure that the CPT Leader has all of their phone numbers so they can be programmed into the Code Red System. Call-outs will be done through Code Red.
- C. Deployment Procedures** - The Communications Center will activate the CPT by sending out a Code Red with the following information:

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1. Location and nature of the incident.
2. Location of the initial Command Post.
3. Contact information for the Incident Commander.
4. CPT members will respond as assigned by the CPT Leader upon a Code Red notification.
5. See OMA 511.9 for further requirements.

511.12 UCC Vehicle

A. Authorized Usage

1. The UCC vehicle may be requested by any Incident Commander during the course of any protracted or critical event as deemed necessary by an Incident Commander. The UCC vehicle may also be used for out of city incidents after mutual aid has been requested and authorized by the Chief of Police or designee.
2. The CPT Leader has the overall responsibility of the functionality of the vehicle and team.
3. Only members trained and authorized by the Chief of Police or designee will be permitted to operate the UCC vehicle.
4. The UCC vehicle is equipped with emergency lights and siren which may be used in a modified Emergency Response Mode by **sworn members**. Modified Emergency Response Mode means:
 - a. The sworn CPT Operator must obey the posted speed limit and traffic laws except, after coming to a complete stop and ensuring the right-of-way is clear and safe to do so, may proceed past a traffic control device.
 - b. As a means to alert traffic of speeds slower than what is posted.
5. The UCC vehicle will not be utilized for traffic stops or as a pursuit vehicle.
6. The UCC vehicle may be utilized to assist other City Departments or other agencies at the direction of the Chief of Police or Designee. The Chief of Police and the Staff Duty Officer will be notified immediately upon the mutual aid request.

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7. Mobilization of the UCC Vehicle - During any mobilization of the UCC vehicle, a minimum of three members will be present. This may be changed at the direction of the CPT Leader or designee. Mobilization may occur by the following procedures:

- a. Written or Email request to the CPT Leader by the Supervisor of a Special Event. Two week notice is required unless approved by the Support Services Commander.
- b. Critical Incident call-out requiring the CPT.
- c. Supervisor's request following a call-out involving a major crime scene.
- d. At the direction of the Chief of Police or designee, in support of a Department event or mutual aid event.

B. The CPT Leader will maintain a list of trained and authorized members of the UCC Vehicle.

C. The CPT Leader is responsible for the care and maintenance of the UCC vehicle and assigned equipment. The CPT Leader or designee will conduct the inspections and inventory of the vehicle in accordance with GO 109.

511.13 Debriefing - A debriefing session will be conducted within seven days of a deployment. All CPT members who responded for the call out will attend.

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Rescinds: GO Revised:	CFA 5th:	Revised:
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518 Purpose

The purpose of this operating manual is to establish standard operating procedures for the removal of derelict vessels from the waters within the City of Palm Bay.

518.1 Florida Statues

A. FSS 823.11 Abandoned and derelict vessels; removal; penalty.

1. "Derelict vessel" means any vessel, as defined in FSS. 327.02, that is left, stored, or abandoned:
 - a. In a wrecked, junked, or substantially dismantled condition upon any public waters of this state.
 - b. At any port in this state without the consent of the agency having jurisdiction thereof.
 - c. Docked or grounded at or beached upon the property of another without the consent of the owner of the property.

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2. It is unlawful for any person, firm, or corporation to store, leave, or abandon any derelict vessel as defined in this section in this state.

3. The City of Palm Bay and all its duly sworn Police Officers and all law enforcement officers as specified in [FSS 327.70](#) are authorized and empowered to remove or cause to be removed any abandoned or derelict vessel from public waters in any instance when the same obstructs or threatens to obstruct navigation or in any way constitutes a danger to the environment. Removal of vessels pursuant to this section may be funded by grants provided in [FSS 206.606](#) and [FSS 376.15](#). The Florida Fish and Wildlife Commission is directed to implement a plan for the procurement of any available federal disaster funds and to use such funds for the removal of derelict vessels. All costs incurred by the commission or other law enforcement agency in the removal of any abandoned or derelict vessel as set out above shall be recoverable against the owner thereof. The Department of Legal Affairs shall represent the commission in such actions. As provided in [FSS 705.103\(4\)](#) any person who neglects or refuses to pay such amount is not entitled to be issued a certificate of registration for such vessel or for any other vessel or motor vehicle until the costs have been paid.
 - a. When a derelict vessel is docked or grounded at or beached upon private property without the consent of the owner of the property, the owner of the property may remove the vessel at the vessel owner's expense 60 days after compliance with the notice requirements specified in [FSS 328.17\(5\)](#). The private property owner may not hinder reasonable efforts by the vessel owner or agent to remove the vessel. Any notice given pursuant to this paragraph shall be presumed delivered when it is deposited with the United States Postal Service, certified, and properly addressed with prepaid postage.

4. Any person, firm, or corporation violating this act commits a misdemeanor of the first degree and shall be punished as provided by law. Conviction under this section shall not bar the assessment and collection of the civil penalty provided in [FSS 376.16](#) for violation of [FSS 376.15](#). The court having jurisdiction over the criminal offense, notwithstanding any jurisdictional limitations on the amount in controversy, may order the imposition of such civil penalty in addition to any sentence imposed for the first criminal offense.

518.2 Investigative Procedures

- A. The Chain of Command to follow when addressing derelict vessel cases:

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1. Lieutenant/ derelict vessels
2. Sergeant/ derelict vessels
3. Officer/derelict vessels

B. If a vessel is determined to be derelict and:

1. The owner or responsible party is present at the time of the derelict determination, the investigating officer shall be required to complete steps outlined in [518.3](#) and all necessary steps following the 21-day count to removal authorization in [518.7](#).
2. The owner or responsible party is not present at the time of the derelict determination but can later be identified the investigating officer shall be required to complete [518.4](#); and [518.5](#) and all necessary steps following the 21-day count to removal authorization in [518.7](#).
3. The owner or responsible party cannot be located or identified at any time throughout the derelict vessel investigation, the investigating officer shall be required to complete [518.4](#) and [518.6](#); and all necessary steps following the 21-day count to removal authorization in [518.7](#).

C. Step by Step Guide:

1. The investigating officer either observes a vessel that may be derelict and self-dispatches or is dispatched to respond to a report of a possible derelict vessel. REMEMBER: Officers are required to proactively seek out and investigate vessels which may be derelict within the City.
2. The investigating officer shall conduct an assessment to determine the vessel's status. The vessel may be:
 - a. Derelict, officer shall initiate a derelict vessel investigation.
 - b. At risk member issues a citation or warning under [FSS 327.4107](#).
 - c. Neither derelict nor at risk officer closes the inquiry as unfounded.

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3. If the vessel is derelict, the investigating officer shall take pictures of the vessel that show, in detail, the issues that make the vessel derelict. He or she shall NOT post the vessel with a Derelict Vessel Notice Sticker at this time. He or she shall properly identify the accurate location of the derelict vessel (GPS coordinates) and record the location in the Derelict Vessel database.
 - a. Under no circumstances shall the investigating officer inform the vessel owner or responsible party that they have a grace period for removal; all vessel owners or responsible parties shall be informed that they are required to immediately remove the vessel from the public waters of the state or otherwise bring the vessel into compliance.
 - b. Once a determination is made that a vessel is derelict, the investigating officer shall notify the Department of Highway Safety and Motor Vehicles in writing that a certificate of title may not be issued to any applicant for the vessel. The investigating member shall then enter a new narrative into the Derelict Vessel database indicating that the Department of Highway Safety and Motor Vehicles has been so notified.
 - c. The investigating officer shall use the Derelict Vessel Title Hold or Release Request Form to notify the Department of Highway Safety and Motor Vehicles to place a hold on the issuance of a title. The form shall be either emailed to flhsmv.gov or faxed to (850) 617-3946.

518.3 Derelict Vessel – Owner Present

- A. The investigating officer shall issue the owner or responsible party a citation for a violation of [FSS 376.15\(2\)](#) or [FSS 823.11\(2\)](#).
 1. If circumstances do not warrant the immediate issuance of a citation, the officer shall document their findings and consult with the State Attorney's Office to direct file the case at a later date.
 2. If the case is direct filed with the ASA, the investigating officer shall document in a new narrative in the Derelict Vessel database the date of the discussion with the ASA, the specific ASA who was consulted, and the SAO decision regarding charging the derelict vessel owner or responsible party, as well as , any other pertinent facts.

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- B.** The investigating officer shall, regardless of the issuance of a citation, prepare a Derelict Vessel Notification Letter to be issued to the present owner or responsible party along with the Derelict Vessel Notification of Rights Packet. Unless a citation was issued, the investigating officer shall require that the owner or responsible party sign the signature page of the Derelict Vessel Notification of Rights Packet and shall keep the signature page and upload it into the Derelict Vessel database. If the owner or responsible party refuses to sign the signature page of the Derelict Vessel Notification of Rights Packet, the investigating officer shall indicate such on that page and shall keep it and upload it into the Derelict Vessel database. The remaining pages of the completed Derelict Vessel Notification of Rights Packet shall be given to the owner or responsible party.

- C.** The investigating officer shall complete the Derelict Vessel Notice Sticker. Only after providing the owner or responsible party with the citation (if applicable), the completed Derelict Vessel Notification Letter, and the Derelict Vessel Notification of Rights Packet, the investigating member shall post the completed Derelict Vessel Notice Sticker on the derelict vessel.

- D.** The investigating officer shall take pictures of the posted Derelict Vessel Notice Sticker to include a close-up posted on the vessel such that the text is legible and a second photo clearly showing the Derelict Vessel Notice Sticker posted on the vessel such that the entirety of the vessel with the posted sticker is contained in one photograph. The investigating officer shall upload these photographs to the Derelict Vessel database.

- E.** The investigating officer shall attach/enter one representative photo, and as many supporting photos as are necessary to document the reasons [Or the derelict determination into the Derelict Vessel database.

- F.** The investigating officer shall create a new narrative in the Derelict Vessel database that details the following:
 - 1.** All specific, objective factors which were observed that provided the basis for determining the vessel to be derelict. These facts must be specific and clear and should match the details provided to the owner or responsible party in the Derelict Vessel Notification Letter. It is critical to be as clear and thorough in this explanation as possible.

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2. That the Derelict Vessel Notification of Rights Packet was provided to the vessel owner or responsible party. The investigating officer shall upload a copy of the signature page of the Packet.
 3. That the owner or responsible party either was cited or that the owner or responsible party was not cited, and the investigating officer will seek approval from his/her Uniform Services Division Commander to direct file. If the investigating officer notes that he or she will be seeking permission from his/her officer to direct file, he or she shall note in a new narrative the reasons for the decision to not cite the owner or responsible party at that time.
 4. That the Derelict Vessel Notice Sticker was posted on the vessel after providing the owner or responsible party with the citation (if applicable), the completed Derelict Vessel Notification Letter, and the Derelict Vessel Notification of Rights Packet.
 5. That the required photographs were taken. He/she shall add them to the Derelict Vessel database.
- G.** The investigating officer shall begin the 21-day count to removal authorization on the same day and shall document the date the 21-days will expire in a new narrative in the Derelict Vessel database. The investigating officer shall notify the City Attorney's Office that the Derelict Vessel Notification of Rights Packet was provided to the vessel owner or responsible party and that the Notice Sticker was posted on the vessel.

518.4 Derelict Vessel – Owner not Present

- A.** The investigating officer shall search the vessel thoroughly for registration, documentation, hull identification and engine serial numbers if visible and any identifying markings that may help to identify the vessel's owner or responsible party.
- B.** The investigating officer shall not, without a warrant, open any closed or locked compartments or containers.
- C.** The investigating officer shall create a new narrative within the Derelict Vessel database that contains all specific, objective factors which were observed that provided the basis for determining the vessel to be derelict. It is critical to be as clear and thorough in this explanation as possible.

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- D. The investigating officer shall attach/enter one representative photo, and as many supporting photos as are necessary to document all specific, objective factors which were observed that provided the basis for determining the vessel to be derelict.
- E. The investigating officer shall take steps to try to ascertain the owner or responsible party of the vessel. The officer shall, at a minimum, conduct a thorough canvassing of the area checks with local police departments and Sheriffs offices, and thoroughly search for title and registration on any identified registration, documentation, hull identification or engine serial numbers.
 - 1. Resources the investigating officer may use to further seek the responsible party include, but are not limited to:
 - a. FCIC and NCIC
 - b. [National Insurance Crime Bureau](#)
 - c. Google searches
 - d. [411.com](#)
 - e. Checks with local police departments and Sheriff's offices
 - f. LINX, ArrestNet, and other similar databases
 - g. Physically going to and checking addresses
 - h. Speaking with nearby boaters and members of the maritime community
 - i. Calling associated phone numbers
 - j. Checking with the U.S. Coast Guard regarding documented vessels
 - k. Request that the Investigations Section conducts a CLEAR inquiry
- F. The investigating officer shall create a new narrative in the Derelict Vessel database case file that describes in detail all efforts taken to locate the vessel

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owner or responsible party. This narrative should include the dates each action was taken as well as whether an owner or responsible party was located.

518.5 Diligent Search – Owner Identified

- A. The investigating officer shall direct file with the Assistant State Attorney for a violation of [FSS 376.15\(2\)](#), F.S. or section [FSS 823.11\(2\)](#).
- B. The investigating officer shall prepare a Derelict Vessel Notification Letter and a Derelict Vessel Notification of Rights Packet to be issued to the owner or responsible party. The facts used to document the reasons the vessel was determined to be derelict must include all specific, objective factors which were observed that provided the basis for determining the vessel to be derelict. It is critical to be as clear and thorough in this explanation as possible. The investigating officer shall remove the signature page of the Derelict Vessel Notification Packet and note on it that the owner or responsible party was not present.
- C. The investigating officer shall contact the owner or responsible party and meet with them in person. The officer shall provide the Derelict Vessel Notification Letter and a Derelict Vessel Notification of Rights Packet to the owner or responsible party at this time. In the alternative, if the owner or responsible cannot meet in person, the investigating officer shall mail the Derelict Vessel Notification Letter and the Derelict Vessel Notification of Rights Packet to the identified owner or responsible party via certified mail with restricted delivery (to the identified owner or responsible party only) with signature confirmation. The officer shall note on the signature page of the Derelict Vessel Rights Notification Packet the date the documents were mailed to the owner or responsible party. The officer shall keep and upload this page into the Derelict Vessel database.
- D. Only after hand delivering or mailing the owner or responsible party the Derelict Vessel Notification Letter and the Derelict Vessel Notification of Rights Packet, the investigating officer shall post the completed Derelict Vessel Notice Sticker on the derelict vessel.
- E. The investigating officer shall take pictures of the posted Derelict Vessel Notice Sticker to include a close-up posted on the vessel such that the text is legible and a second photo clearly showing the Derelict Vessel Notice Sticker posted on the vessel such that the entirety of the vessel with the posted sticker is contained in one photograph. The investigating officer shall upload these photographs to the Derelict Vessel database.

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- F.** The investigating officer shall create a new narrative in the Derelict Vessel database that details the following:
1. All specific, objective factors which were observed that provided the basis for determining the vessel to be derelict. These facts must be specific and clear and should match the details provided to the owner or responsible party in the Derelict Vessel Notification Letter. It is critical to be as clear and thorough in this explanation as possible.
 2. That the Derelict Vessel Notification Letter and the Derelict Vessel Notification of Rights Packet were provided to the vessel owner or responsible party by mail as required. The investigating member shall upload a copy of the top page of the Packet.
 3. That the investigating officer direct filed with the Assistant State Attorney for a violation of [FSS 376.15\(2\)](#) or [FSS 823.11\(2\)](#) The investigating officer shall document in a new narrative in the Derelict Vessel database the date of the discussion with the ASA, the specific ASA who was consulted, and the ASA's decision regarding charging the derelict vessel owner or responsible party, as well as any other pertinent facts.
 4. That the photographs required above were taken. He/she shall add them to the Derelict Vessel database.
- G.** The investigating officer shall begin the 21-day count to removal authorization on the day that the certified mail is delivered or the day the Derelict Vessel Notice Sticker is posted on the vessel, whichever occurs later.
1. The officer shall upload the proof of delivery of certified mail to the Derelict Vessel database. If delivery has not been accomplished within 20 days after mailing the documents via certified mail as required, the investigating officer shall begin the 21-day count to removal authorization after the 21 days, provided the Derelict Vessel Notice Sticker has been posted on the vessel. The officer shall document the date the 21 days will expire in a new narrative in the Derelict Vessel database. Certified mail that is returned undeliverable or when delivery is refused shall be deemed as delivered for purposes of this paragraph and the investigating officer will begin the 21-day count to removal authorization if the vessel has been posted with the Derelict Vessel Notice Sticker.

518.6 Diligent Search – Owner Not Identified

- A.** If after a diligent search and inquiry, an owner or responsible party cannot be identified or contacted, the investigating officer shall complete and post the

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completed Derelict Vessel Notice Sticker on the derelict vessel. The officer shall document in a new narrative in the Derelict Vessel database all efforts that were taken to identify an owner or responsible party.

- B.** The investigating officer shall take pictures of the posted Derelict Vessel Notice Sticker to include a close-up posted on the vessel such that the text is legible and a second photo clearly showing the Derelict Vessel Notice Sticker posted on the vessel such that the entirety of the vessel with the posted sticker is contained in one photograph. The investigating officer shall upload these photographs to the Derelict Vessel database.
- C.** The investigating officer shall create a new narrative in the Derelict Vessel database that details that a copy of the Derelict Vessel Notice Sticker was posted on the vessel.
- D.** The investigating officer shall begin the 21-day count to removal authorization on the day that the Derelict Vessel Notice Sticker was posted on the vessel. The investigating officer shall document the date the 21 days will expire in a new narrative in the Derelict Vessel database.

518.7 21- Day Count to Removal

- A.** The investigating officer shall have 90 days to complete all of the preceding steps necessary in the investigation. In the event an investigating officer is unable to complete this portion of the derelict vessel investigation within 90 days, he or she may request an additional 90-day extension from his/her supervisor for good cause shown.
 - 1.** At any point, once the 21-day count to removal authorization has begun an owner or responsible party may request an administrative hearing from the City Attorney's Office. At the conclusion of the 21-day count to removal authorization, the investigating officer shall check the Derelict Vessel database to determine whether or not an administrative hearing was requested by the owner or responsible party of the derelict vessel. If a hearing has been requested by the owner or responsible party, the investigating officer will have made a new narrative entry into the Derelict Vessel database that says, "Administrative Hearing Requested."
 - 2.** If a derelict vessel owner or responsible party did not request an administrative hearing (the Derelict Vessel database does not contain an entry from the investigating officer that states "Administrative Hearing Requested" the investigating officer shall complete the remaining steps:

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3. If a derelict vessel owner or responsible party requested an administrative hearing (the Derelict Vessel database contains an entry from the City Attorney's Office that states "Administrative Hearing Requested") the investigating officer shall complete the following:
 - B. If the Derelict Vessel database contains an entry that says "Administrative Hearing Requested" the City Attorney will update the investigating officer, as well as his/her Supervisor and the Uniform Services Division Commander of the date, time, and location of the scheduled hearing once it is scheduled via email, and will enter this information into the Derelict Vessel database as an entry that says "Adm. Hearing Scheduled: Date, Time, and Location of Hearing." The investigating officer shall participate fully in the administrative hearing and in all preparation necessary as requested by the City Attorney.
 - C. Following the conclusion of the administrative hearing, the City Attorney will provide the investigating officer with a copy of the hearing officer's findings and will upload a copy of the findings to the Derelict Vessel database. If the hearing officer finds that the vessel is not derelict, the investigating officer shall send a request to his/her Marine Unit Supervisor that the case be closed without the derelict vessel's removal. The Uniform Services Division Commander shall close out the case without removal within 7 days. If any material facts regarding the vessel's derelict condition change, any sworn officer may initiate a new derelict vessel investigation.
 - D. Once the determination is made that a vessel is not derelict, the investigating officer shall notify the Department of Highway Safety and Motor Vehicles in writing that any prior suspensions on the issuance of a title for the vessel may be lifted.
 - E. The investigating officer shall use the Derelict Vessel Title Hold or Release Request Form to notify the Department of Highway Safety and Motor Vehicles to lift the hold on the issuance of a title. The form shall be either emailed to flhsmv.gov or faxed to (850) 617-3946.
 - F. If the hearing officer found the vessel to be derelict, or if no administrative hearing is requested, or the hearing officer determines that the vessel in question is derelict, the investigating officer shall notate such in a new narrative in the Derelict Vessel database and shall send the completed Derelict Vessel database case file to his/her supervisor to request final approval for removal of the derelict vessel. The investigating officer will then proceed with the following:
 1. The Supervisor shall review the derelict vessel report within 7 days.
 2. The Supervisor shall be responsible for ensuring:

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- a. Sufficient narrative and photographic evidence exist to prove the vessel is derelict. He/she shall specifically ensure that one representative photo is present as well as all supporting photos as may be necessary to thoroughly document the derelict nature of the vessel and that the required photos of the Derelict Vessel Notice Sticker are included in the Derelict Vessel database case file; ii. All of the following documents, as necessary, have been properly documented and utilized: the Derelict Vessel Notification Letter; the Derelict Vessel Notification of Rights Packet, proof of certified mail with restricted delivery (to the identified owner or responsible party only) with signature confirmation, the Derelict Vessel Notice Sticker, the final disposition of the administrative hearing (if any), and the criminal citation, unless this requirement was waived, in which case a narrative explaining the decision by the ASA must be included.
 - b. That the investigating officer has validated the location of the vessel on the Derelict Vessel Map within the Derelict Vessel database.
3. If the Supervisor is satisfied that the case file in the Derelict Vessel database is complete and thorough, he/she shall forward the request for the removal of the derelict vessel to the Uniform Services Division Commander. If he/she is not satisfied that the case file is complete and thorough, he shall return the case file to the investigating officer so that the case can be more thoroughly documented and/or investigated.
4. The Uniform Services Division Commander shall be responsible in all cases for approving the removal of a derelict vessel. He/she shall review all cases provided by a Supervisor within 7 days of receipt. If he/she is satisfied that the case file is complete and thorough, and that removal is appropriate and lawful, he/she shall approve the removal. If he/she is not satisfied that the case file is complete or thorough he/she shall return the case file to the investigating officer to be more thoroughly documented or investigated. If he/she is not satisfied that removal is appropriate or lawful, he shall deny removal.
5. If the Uniform Services Division Commander or the Supervisor returns a case file to an investigating officer to be more thoroughly documented or investigated, the officer shall take steps to update the case file within 14 days, or as directed, and shall resubmit the case file to his/her Marine Unit Supervisor. If the Uniform Services Division Commander approves final removal, the investigating officer shall proceed with the following steps.
6. If the Uniform Services Division Commander approves the final removal of a derelict vessel, the investigating officer shall complete and download the completed Derelict Vessel Removal Authorization Letter in the data base and

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notify the Brevard County Natural Resources Management Department (Division Boating and Waterways Program) at 321-633-2016.

- G.** In the event the derelict vessel is scheduled to be removed from the waters of the State, the investigating officer shall work with the county/municipality and the contractor performing the removal to ensure the vessel is removed in its entirety. The investigating officer shall visually verify the complete removal of the vessel. The investigating officer shall enter a new narrative into the Derelict Vessel database within 7 days of the derelict vessel removal stating that the entirety of the vessel was removed, who made the visual verification, and on what date the verification was made. The investigating member shall complete the Removal Process Page of the Derelict Vessel Database. The investigating officer or designee will be present when the vessel is being removed by the contracted company and will take pictures of the removal. A photo with the Florida identification number is needed if available. If it is not feasible to have an officer present, then arrangements will be made with the contracted company to take pictures and be sent to investigating officer to be entered into the Derelict Vessel database.
1. Following visual verification of the removal of the derelict vessel, the investigating officer shall notify the DMV that the title and registration for the vessel may be canceled.
 2. Following the removal of a derelict vessel from the public waters of the State by a governmental agency or their contractor, the investigating officer shall complete and send the Derelict Vessel Repayment Demand Letter to the owner or responsible party. He/she shall upload a copy of this letter to the case file in the Derelict Vessel database and provide a new narrative that explains that the demand was sent.
 3. No sooner than 30 days after the Derelict Vessel Repayment Demand Letter is sent, if repayment is not made, the investigating officer shall create a new narrative in the Derelict Vessel database that the owner or responsible party has not repaid the cost of removal and shall notify the Department of Highway Safety and Motor Vehicles to suspend all future registrations of vessels or vehicles by the owner or responsible party.
 4. If at any time the investigating officer becomes aware that the owner or responsible party has made repayment of the derelict vessel removal costs, he or she shall enter a new narrative indicating that repayment was made. If the Derelict Vessel database case file was closed, the member shall reopen the case file and add the new narrative. The investigating officer shall then contact

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the DMV to request that the suspension of the owner or responsible party's registrations be lifted.

5. After removing the derelict vessel, sending the Derelict Vessel Repayment Demand Letter of either repayment or failure to repay by the owner or responsible party, the investigating officer shall request the Uniform Services Division Commander to close the Derelict Vessel database case file. The Uniform Services Division Commander shall review the request to close the Derelict Vessel database case file within 7 days of receipt from the investigating officer. The Uniform Services Division Commander shall review the case file to ensure all necessary documentation (as detailed in this Standard Operating Procedure) is provided in the case file and shall close the Derelict Vessel database case file as requested by the investigating officer.

518.8 Additional Information

A. Derelict Vessel database case files shall remain open until:

1. The case is closed without the vessels' removal by the Uniform Services Division Commander;
2. The owner or responsible party has brought the vessel into compliance and the vessel is no longer derelict; or
3. All of the following have occurred:
 - a. the derelict vessel is removed from the waters of the State;
 - b. the repayment demand letter has been sent (if not removed by the owner or responsible party),
 - c. if necessary, repayment has either been made or the Brevard County Boating and Waterways Section has notified the Department of Highway Safety and Motor Vehicles to suspend all future vehicle and vessel registrations; and
 - d. all criminal charges have been prosecuted or otherwise disposed of and all appeals have been exhausted.
 - e. Once the necessary steps above have been completed and documented in the Derelict Vessel database, the investigating officer may request, and the Uniform Services Division Commander shall close the case file.

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- B. All Derelict Vessel database case files must remain current regardless of the status of the investigation. If final removal of a derelict vessel has been approved, but the vessel has not yet been removed, the investigating officer shall continue to update the file with a new narrative no less than every 120 days with, at a minimum, the current accurate location of the vessel. A current representative photograph is also required if the vessel condition or location has changed. If a new narrative is not provided in the Derelict Vessel database case file at least once every 120 days, the case file will become delinquent, and the investigating officer may be subject to disciplinary action.
- C. Each new narrative entry into the Derelict Vessel database case file must be entered as a new narrative and shall not be included as a continuing entry added to previous narratives. Continuing within an already existing narrative will not update the case
- D. The Supervisor shall be responsible for transferring any open derelict vessel case files in the Derelict Vessel database to a newly sworn officer when the investigating officer is no longer assigned to the marine patrol unit. The newly assigned officer shall be responsible for all investigating requirements of the derelict vessel investigation following the transfer.
- E. In investigations where a derelict vessel owner or responsible party cannot be located despite a diligent search and inquiry and for which it is impossible to post the Derelict Vessel Notice Sticker (FWC/DLE-073), the investigating officer may request approval from the Supervisor and the Uniform Services Division Commander for removal of the vessel without further delay. The Supervisor shall ensure that diligent efforts were taken to identify a lawful owner or responsible party and that these efforts were thoroughly documented before forwarding the removal request to the Uniform Services Division Commander.
- F. Throughout a derelict vessel investigation, the investigating officer shall thoroughly document each derelict vessel with a series of evidentiary photographs. These photographs shall include:
 - 1. A close-up of the Derelict Vessel Notice Sticker posted on the vessel such that the text is legible;
 - 2. A photo clearly showing the Derelict Vessel Notice Sticker posted on the vessel such that the entirety of the vessel with the posted sticker is contained in one photograph;

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3. One representative photo, and as many supporting photos as are necessary to document the reasons for the derelict determination. This documentation shall include exterior and/or interior photos which demonstrate that the boat is wrecked, junked or substantially dismantled;
4. General photos of the vessel and surroundings to document the vessel's location; and
5. If accessible, photos of identifying markings such as registration, documentation, hull identification and engine serial numbers and any other identifying markings that may help to identify the vessel's owner or responsible party.
6. **THE INVESTIGATING OFFICER SHALL NOT, WITHOUT A WARRANT, OPEN ANY CLOSED OR LOCKED COMPARTMENTS OR CONTAINERS.**
 - A. The investigating officer shall upload all photographs into the Derelict Vessel database as .jpeg image files prior to the end of the shift in which they were taken unless he or she receives approval to upload the photographs at another time by his or her Supervisor.
 - B. At any point throughout a derelict vessel investigation, if the vessel is deemed to be a hazard to navigation or threatens to be an environmental hazard, the investigating officer shall notify, either directly or through the Regional Communications Center, the U.S. Coast Guard / National Response Center at (800) 424-8802 or online at www.nrc.uscg.mil.
 - C. The investigating officer shall report, either directly or through the Regional Communications Center, all fuel discharges to the U.S. Coast Guard / National Response Center at (800) 424-8802 or online at www.nrc.uscg.mil. The investigating officer shall document the confirmation number provided by the National Response Center in the Derelict Vessel database with a new narrative.
 - D. Where a vessel is deemed to constitute a navigational hazard or a hazard to public safety or is determined to interfere with another vessel or where a derelict vessel obstructs or threatens to obstruct navigation or in any way constitutes a danger to the environment, property, or persons, the City may immediately remove or relocate, but not destroy the vessel, or may authorize the immediate removal or relocation, but not destruction of the vessel, pursuant to sections [FSS 327.44](#), [FSS 327.70](#), [FSS 376.15](#), and [FSS 823.11](#). Any decision to remove or relocate a vessel under these circumstances shall be done in strict compliance with these statutes, and only with the Uniform Services Division Commander's approval.

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- E.** If at any point during a derelict vessel investigation the vessel is brought into compliance or is otherwise determined to not be derelict, the investigating officer shall notify the Department of Highway Safety and Motor Vehicles in writing that any prior suspensions on the issuance of a title for the vessel may be lifted.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: All-Terrain Vehicle Operations	OM: B505	
Rescinds: ATV Operations Revised: 10/01/06	CFA 5th:	Created: 07/09/15
Reference: Department Vehicles GO 414		

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505.1	<u>Scope</u>
505.2	<u>Definitions</u>
505.3	<u>General Provisions</u>
505.4	<u>Pre-ride Inspection</u>

505 Purpose - Palm Bay has large tracts of undeveloped land within its boundaries. At times, it may be necessary for police services to be delivered in these limited access areas. The operation of Agency vehicles in these areas should be done, keeping safety in mind, with the intent of providing the necessary service in a timely and effective manner. The purpose of this directive is to establish Guidelines and objectives for the use of Agency ATVs in off-road conditions.

505.1 Scope - This Operating Manual will apply to all persons operating the Agency's All-Terrain Vehicles (ATV).

505.2 Definitions

A. All-Terrain Vehicle (ATV) - "All-terrain vehicle" is used in a general sense to describe any of a number of small open motorized buggies and tricycles designed for off-road use.

B. Hazard - While operating off-road, operators may encounter "hazards" or conditions that call for specialized equipment or techniques to traverse. Typical hazards include water, uphill ascents, downhill descents, and crossing obstacles such as fallen trees or rocks.

C. Off-Road Operations - All-Terrain Vehicle (ATV) on surface areas with little to no improvement for vehicular traffic.

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D. **“Tread Lightly” Practices** - The practices of driving on designated or identifiable trails, avoiding damage to natural vegetation and wildlife areas.

505.3 General Provisions

A. **All-Terrain Vehicle Program (ATV)** - The ATV program will be under the direction of the Uniform Services Division Commander. The Agency’s Training Section Sergeant will be designated as the ATV program supervisor.

1. In general, the ATV and its authorized operator will primarily be used to patrol the undeveloped areas of Palm Bay.
2. The ATV may be assigned to other areas of the City, or other details, where law enforcement needs may be enhanced by the use of such a vehicle.
3. Upon the USD Commander’s approval, the ATV and its operator may be loaned to other agencies that are in need of, or have requested ATV assistance. In such cases, only the assigned Palm Bay officer will operate the ATV.
4. The ATV program is designed for use 24 hours days on an as needed basis.
5. Aside from scheduled use or responding to a call for service requiring the ATV, all authorized operators must first obtain permission from the Training Section Sergeant prior to using the ATV.

B. **Qualifications and Training** - Only sworn officers will be eligible to operate Agency ATV’s.

1. Basic qualifications for operators will meet an acceptable driving record for operating personal and Agency vehicles.
2. Officers operating Agency ATV’s **will** have completed an Agency approved **course of instruction**.
3. The Training Section will maintain a list of personnel who have successfully completed the course of instruction on ATV operations.
4. Members who have been subject to formal disciplinary action for a preventable accident and/or other improper driving activity within the last twelve months may, at the discretion of the Chief of Police, be prohibited from operating vehicles of this type.

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5. The Agency's Training Section Sergeant is responsible for the selection and training of sworn officers on the use of the ATV.
6. The Training Section Sergeant will maintain a current list of qualified and authorized operators and make the list available to USD Command Staff.

C. Authorization for Use

1. **Safe Operation** - These types of vehicles are not designed for high speed driving and maneuverability. High speed pursuits are prohibited. The operator of the ATV will operate the vehicle in a safe and prudent manner at all times. Consideration for pedestrian and vehicular traffic, weather conditions, and terrains are but a few of the concerns an operator must have. Additionally, limitations on both the operator's skill level and the ATV play a major role in the safe operation of such equipment. Never attempt to push yourself or the ATV past these limitations. Any blatant violations of this section will result in the violator being removed from the ATV program.
 - a. Persons operating ATV off-road vehicles should keep in mind that they are professional drivers, their conduct while operating these vehicles should set the standard for how the general population should conduct themselves; this includes but is not limited to the following areas:
 - Know the ATV's limitations
 - Know your (the operator) limitations
 - Know the terrain/environmental limitations
 - b. Proper respect should be given to the environment. Unless necessary to provide the identified service, off-road operations should be limited to identifiable areas of travel. Unnecessarily driving across natural terrain can cause environmental damage that may take years to correct. Drivers should be aware of the concepts of "Tread Lightly" and educate the public in these practices.
 - c. Proper techniques while traversing hazards to limit possibly damaging Agency equipment and unnecessary damage to the trail.
 - d. In addition to the provisions of this directive, the Training Section Sergeant may require additional instructions, conditions and

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limitations of usage. The ATV will be operated in accordance with these instructions, conditions and limitations.

- D. ATV Log** - Access to the ATV keys and helmet will be limited to the USD command staff. The keys and helmet will only be issued to authorized ATV operators. The operator's name, date, time of issuance, time returned and issuing authority will be entered into the ATV log. The Safe Operations instructions in 503.C1 will be provided with the log for operator review and signing.
 - 1. The Training Section Sergeant will maintain the ATV log and ensure that the ATV is monitored for scheduled periodic maintenance and repairs.
 - 2. The Training Section Sergeant will inspect the ATV and equipment a minimum of once every three months as part of the Agency's Quarterly Inspection process.
- E. Security** - The ATV will be kept in a secure area when it is left unattended. The ATV will not be left unattended with the key in the ignition.
- F. Towing** - A trailer is available to tow the ATV where it will be needed. ATV operators working in a law enforcement capacity are authorized to operate the ATV on public right-of-ways. However, due to vehicular traffic and the fact that the ATV does not handle well on pavement, this is not encouraged and should be avoided if possible.
- G. Communications** - ATV operators must log in with the Communications Center. ATV operators who are riding alone will not patrol in areas where a back up officer or medical personnel cannot respond.

503.4 Pre-ride Inspection

- A.** Prior to operating the ATV, a vehicle inspection will be conducted by the operator to ensure the vehicle is in safe condition. The following inspection checklist (T-CLOC) will be used as a guide in the inspection of the ATV's.
 - 1. T - tires and wheels
 - 2. C - controls and cables
 - 3. L - lights and electric components
 - 4. O - oil and fuel

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5. C - chain (or drive shaft) and chassis

B. The ATV is an Agency Vehicle and applicable provisions of Agency Vehicles [<GO 414>](#) will be followed, including any damage reported immediately to the Training Section Sergeant or USD Commander, or designee.

C. Safety Gear and Equipment - ATV operators will be required to wear/have the following safety gear and equipment when operating the ATV. The equipment will be listed on the [<ATV Equipment Inspection Form>](#).

1. Motorcycle helmet (DOT, ANSI or SNELL approved)

2. Eye protection

3. Gloves

4. Shirt/Pants (due to hot weather conditions, short sleeve shirts and shorts may be worn. However, operators should have a long sleeve shirt and long pants readily available to wear when operating in high vegetation).

5. Duty belt will be worn.

6. Cell phone should be carried in the event the police radio malfunctions or is damaged.

7. Water.

8. Tow strap.

9. First aid kit.

10. Rain gear.

11. Flashlight or operator equipped.

12. Tool Kit.

13. First Aid Kit.

14. Fire Extinguisher.

15. Personal protection equipment.

D. Post-operation Vehicle Inspection/Turn-in Procedure

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1. The ATV will be cleaned prior to being turned in. Wash with water and mild soap only. Do not spray water directly at the air cleaner.
2. Top off gas tank.
3. Park vehicle in designated storage area. Place ATV in Park, turn off the fuel switch, and set the parking brake.
4. Return the key and helmet to the proper location and log out. Report any damage or problems to the Training Section Sergeant or USD Commander, or designee.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Autism and Developmental Disabilities	OM No: B508	
Rescinds: New	CFA 5th:	Revised: 05/08/18
Reference:		

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508 Introduction

People with ASD may be limited in their ability to effectively communicate and interact with law enforcement officers. These individuals may have a delayed reaction or response time. They may not have the capacity to make coherent decisions on their own and lack the judgment and decision-making skills needed to identify potentially risky situations, which can make them more vulnerable to becoming either a suspect or a victim. This lack of judgment can make interactions or enforcement action difficult and may result in inappropriate or counterproductive police actions if officers are not able to recognize and effectively interact with such persons. The Center for Disease Control (CDC) estimates that one in 68 children have been Identified with Autism Spectrum Disorder (ASD). The prevalence for boys is about 5 times higher than it is for girls, with 1 in every 42 boys having ASD, and 1 in every 189 girls having ASD. Therefore, it is highly likely that officers, in the course of the performance of their duties, may encounter individuals, to include, victims, suspects, witnesses or defendants, with ASD.

508.1 Definitions

- A. Autism** - A pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication, and

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behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests.

- B. Autism Spectrum Disorder (ASD)** - The term autism spectrum disorder incorporates several previously separate diagnoses including Autistic Disorder, Asperger's Disorder, Pervasive Developmental Disorder, Not Otherwise Specified (POD-NOS), and Childhood Disintegrative Disorder.
- C. Developmental Disability** - A disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, or prader-willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.
- D. Qualified Professional** - A Professional is deemed qualified if the Professional has experience treating, teaching, or assisting patients or clients who have been diagnosed with autism or an autism spectrum disorder or related developmental disability or is certified in special education with a concentration focused on persons with autism or an autism spectrum disorder.

508.2 Identification of Individuals with Autism

- A. Identification** - Because police officers are usually the first to respond to an emergency, it is critical that all officers have a working knowledge of ASD, and the wide variety of behaviors individuals with ASD can exhibit. Though there is nothing about how persons who have been diagnosed with ASD look that sets them apart, people with ASD may communicate, interact, behave, and learn in ways that are different from most other people. The range of abilities of people with ASD can span from gifted to severely challenged.
- B. Potential Indicators** - Although officers are not trained or expected to diagnose disabilities, they should be aware of the signs, characteristics, and behaviors that indicate a disability may exist and recognize that they may occur in various combinations and degrees of severity. Officers are advised that a person with autism might:
 1. Have an impaired sense of danger.
 2. Wander to bodies of water, traffic or other dangers.

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3. Be overwhelmed by police presence.
 4. Fear a person in uniform (ex. Fire turnout gear) or exhibit curiosity and reach for objects/equipment (ex. Shiny badge or handcuffs).
 5. React with “fight” or “flight”.
 6. Not respond to “stop” or other commands.
 7. Have delayed speech and language skills.
 8. Not respond to his/her name or verbal commands.
 9. Avoid eye contact.
 10. Engage in repetitive behavior (ex. Rocking, hand flapping and spinning).
 11. Have sensory perception issues.
 12. Have epilepsy or seizure disorder.
- NOTE - Officer's should be aware that pursuant to FSS 322.051(8)(c)(1), a person with a developmental disability may be in possession of an identification card or driver's license exhibiting a capital "D" for the person, indicating same. However, the absence of the letter "D" is not an indication that the victim, suspect or defendant, is not diagnosed with ASD or other developmental disability.

Additionally, individuals with ASD may have The Wallet Card, a tool designed to assist those with ASD in communicating clearly with law enforcement.

C. Common Interactions - The following are some of the most common situations in which law enforcement may encounter persons with ASD:

1. Manipulation by criminals without disabilities: People with ASD are more likely to be manipulated into committing criminal activity. Their need for acceptance and connection to other people can lead them into performing acts that they do not comprehend are illegal.

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2. **Victimization:** People with ASD are more likely to be victimized and subjected to violence. Officers should be aware of the relatively high rate of victimization within this population, take allegations of victimization seriously, and request assistance of support services that can aid crime victims in prosecuting their perpetrators.
3. **Disruptive or suspicious behavior:** People with ASD may be socially awkward, violate personal space of others, or inappropriately touch themselves or others in public since they may not understand or have been taught that such behavior is not acceptable or is against the law. Additional unusual behaviors may include picking up items in stores, e.g., perceived shoplifting, repetitive and seemingly nonsensical motions and actions in public places, inappropriate laughing or crying, and personal endangerment. These situations can be misunderstood as criminal behavior rather than disability-related behavior in which the individual is attempting to communicate emotional distress.
4. **Disturbances:** Disturbances may develop due to a caregiver being unable to maintain control of the person who is engaging in self-destructive behavior.
5. **Wandering/Eloping:** People with ASD sometimes evade their caregivers and may be found wandering aimlessly or engaged in repetitive or unusual behavior in public. When conducting a search, officers should be aware that people with ASD may be attracted to bodies of water, such as lakes or pools.
6. **Seizures:** People with ASD have a higher incidence of seizures, especially in response to stress, and may be encountered by law enforcement in response to a medical emergency. Symptoms of seizures vary depending on the type and can range from unconsciousness, convulsions, and/or muscle rigidity, to repeated non-purposeful movements, tremors, dilation of pupils, and/or biting of the tongue.

508.3 Procedures for Interacting with Individuals with ASD

- A. **Use of De-escalation Techniques:** Some people with ASD may become easily upset and may engage in self-destructive behaviors or become aggressive. Fear, including fear of law enforcement, frustration, and minor changes in their daily routines and surroundings may trigger such behavior. The mere

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presence of an officer can be a source of stress. Therefore, when interacting with individuals with ASD, officers should do the following:

1. Speak calmly.
2. Repeat short, direct phrases in a calm voice.
3. Allow for delayed responses (10-15 seconds) to your questions or commands.
4. Use non-threatening body language.
5. Keep hands at sides when possible.
6. Maintain a safe distance, providing the person with a zone of comfort that will also serve as a buffer for officer safety.
7. Consider use of pictures, written phrases/commands, sign language or computer images.
8. Eliminate, to the degree possible, loud sounds, bright lights, and other sources of over-stimulation by turning off sirens and flashers, asking others to move away, or, if possible, moving the person to more quiet surroundings.
9. Keep canines in the police vehicle and preferably away from the area, and ensure that other dogs are removed. However, be aware that people who have a service animal may become highly distraught if that animal is removed from them.
10. Look for medical identification tags on wrists, neck, shoes, belt, or other apparel. Some persons, both verbal and non-verbal, carry wallet cards noting that they have an I/DD and that provide a contact name and telephone number of a family member, location where they live, or other contact information.
11. Call the contact person or caregiver, when such information is available, or a disability advocacy organization for specific advice on calming the person.
12. Be prepared for a potentially long encounter, as dealings with such individuals should not be rushed unless there is an emergency situation.

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Officers should inform their dispatcher or supervisor if a prolonged encounter is expected.

13. Be attentive to sensory impairments. People with I/DDs often have impairments that make it difficult for them to process incoming sensory information properly. Should an officer identify a sensory impairment, he or she should take the following precautions to avoid exacerbating the situation:
 - a. Do not touch the person. Unless the person is in an emergency situation, e.g., has been seriously injured or is in imminent danger, the officer should speak with the person quietly and in a nonthreatening manner to gain compliance.
 - b. Use soft gestures and avoid abrupt movements or actions.
 - c. Use direct, simple language and avoid slang.
 - d. Do not interpret odd behavior as belligerent. In a tense or even unfamiliar situation, these persons will tend to shut down and close off unwelcome stimuli, e.g., cover ears or eyes, lie down, shake or rock, repeat questions, sing, hum, make noises, or repeat information in a robotic way. This behavior is a protective mechanism for dealing with troubling or frightening situations. Do not stop the person from repetitive behavior unless it is harmful to him or her or others. Officers should not interpret the person's failure to respond to orders or questions as a lack of cooperation or a reason for increased force.
14. If the individual is holding and appears to be fascinated with an inanimate object, consider allowing subject to hold the item for the calming effect (if officer safety is not jeopardized by doing so).
15. Be aware of different forms of communication. Some people with an I/DD carry a book of universal communication icons. Pointing to one or more of these icons will allow these persons to communicate where they live, their mother's or father's name, address, or what they may want. Those with communication difficulties may also demonstrate limited speaking capabilities such as incorrectly using words like "You" when they mean "I."
16. Do not get frustrated or angry at antisocial behaviors and exercise patience.

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17. Evaluate for injury: person may not ask for help or show any indications of pain, even though injury seems apparent. Be aware that the person may be having a seizure.

508.4 Interviews, Interrogations and use of Miranda Warning

A. Presence of a Qualified Professional: In any such case where an officer encounters an individual who the officer knows or has reason to believe may have ASD, the officer will do the following:

1. Prior to conducting an interview of the individual, the officer will advise the individual, their parent or guardian, that the individual may elect to have a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional present at all times during the interview(s) of the individual.
2. If the victim, suspect or defendant, diagnosed with ASD, or his or her parent or guardian, requests a professional be present at all interviews, the interviewing officer or other individual designated by the interviewing officer, shall take the following steps:
 - a. Advise the individual making the request for a professional that all expenses related to the attendance of the professional at the interview shall be borne by the requesting individual.
 - b. Ask the individual making the request for a professional, if they have a particular professional he or she would like to request or knows of a professional who may be requested. If so, obtain the professional's contact information and contact the professional for assistance. Alternatively, the individual making the request for a professional may contact the professional directly if that is his or her preference.
 - Note - If the individual making the request for a professional is a victim, upon conviction of the offense in which the individual is a victim, the law requires that the defendant reimburse the victim for all expenses related to the attendance of the professional at the interview as part of restitution. However, individuals with ASD and their guardians/caregivers should be made aware that such restitution is not likely in most circumstances
3. If the individual making the request, does not have or know of a particular professional to contact, the interviewing officer or designee may contact:

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- a. Any "Qualified Professional".
- b. Officers may also refer the individual or his or her parent or guardian to the following organizations for assistance If needed:
 - Autism Speaks at 1-888-288-4762 (English) / 1-888-772-9050 (Spanish).
 - UCF CARD at 1-800-9-AUTISM

4. The interviewing officer or designee shall document all attempts to obtain a qualified professional for the interview.
5. If after all known sources for a qualified professional have been exhausted and a good faith effort has been made to locate a qualified professional and all attempts were unsuccessful, the interviewing officer may conduct an Interview without a professional present.

B. General Interview tips: When interviewing a person with ASD, the officer should:

1. Be patient and give the person space.
2. Use simple and concrete sentences.
3. Give plenty of time for person to process and respond.
4. Be alert to signs of increased frustration and try to eliminate the source if possible as behavior may escalate.
5. Avoid quick movements and loud noises.
6. Do not touch the person unless absolutely necessary.
7. Use information from caregiver, if available, on how to best respond.
8. Be cognizant of whether the individual needs to use the restroom, and unless doing so would hinder the investigation, allow restroom use at the earliest opportunity.

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C. Do's and Do Not's for Interviews of Individuals with ASD: When police officers interview suspects, victims, or witnesses with an I/DD, officers should observe the following in order to obtain valid information:

1. Do determine the individual's primary mode of communication and provide necessary accommodations.
2. Do use simple, straightforward questions. However, avoid yes or no questions, as the individual may simply choose either yes or no in an effort to please the officer, rather than provide factual information.
3. Do not interpret lack of eye contact and strange actions or responses as indications of deceit, deception, or evasion of questions.
4. Do not suggest answers, attempt to complete thoughts of persons slow to respond, or pose hypothetical conclusions, recognizing that people with an I/DD are easily manipulated and may be highly suggestible

508.5 Taking Persons Into Custody

A. Minor Offenses: Taking custody of persons with an I/DD should be avoided whenever possible, as it is likely to initiate a severe anxiety response and further escalate the situation. Therefore, in minor offense situations, officers should explain the circumstances to the complainant and explore alternative means to remedy the situation. This normally will involve release of the person to an authorized caregiver.

B. Serious Offenses: In more serious offense situations or where alternatives to arrest are not permissible, officers shall observe the following guidelines:

1. Contact a Supervisor for permission to handcuff the prisoner with his or her hands in front, if safe to do so, or use other appropriate and approved restraining device(s). Officers should be aware that use of restraints may escalate panic and resistance.
2. Request the person's caregiver to accompany him or her and to assist in the calming and intervention process. If a caregiver is not readily available, request an individual appropriately trained in crisis intervention, if available.
3. Employ calming and reassuring language and de-escalation protocols provided in this policy.

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4. Do not incarcerate the person in a holding facility, if possible and practical. If avoidable, do not incarcerate the person with others.
5. Until alternative arrangements can be made, put the person in a quiet room with subdued lighting with a caregiver, other responsible individual, or another officer who has experience in dealing with such persons.
6. Provide the person with any comfort items that may have been in his or her possession at the time of arrest, e.g., toys, blankets, foam or rubber objects, in accordance with agency policy and if safe to do so.

508.6 Missing Children with Special Needs: The behaviors and actions of missing children with special needs are often much different than that of a missing non-affected child; therefore, finding and safely recovering these children often present a unique and difficult challenge. While the behaviors will differ from child-to-child, missing children with special needs may (1) run away or "bolt" from a safe environment; (2) exhibit a diminished sense of fear causing them to engage in high-risk behavior, e.g., seeking water or active roadways; (3) elude or hide from search teams; (4) seek small or tightly enclosed spaces concealing themselves from search teams; and (5) be unable to respond to search teams. While cases of missing children with special needs should be treated as critical incidents requiring elevated responses by law enforcement and first responders, children with ASD have an unusually high mortality rate and are especially at risk.

A. Initial Response: First responders to reports of a missing child with special needs should notify their supervisor and initiate the following actions as additional resources arrive:

1. Identify hazards in the area where the child was last seen and request dispatch of personnel to those locations to search for the child, paying special attention to any bodies of water and specific locations of interest to the child such as his or her favorite places.
2. Secure identified hazardous areas near where the child was last seen to prevent the child from entering those areas.
3. Determine if the child was wearing or carrying a tracking device and, if so, immediately initiate tracking measures to locate the child.

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4. Determine if the child is frightened by aircraft, dogs, ATVs, or any other resources used to assist in searches. Search dogs at the onset of the initial response will better ensure successful tracking.
5. Determine if the child is sensitive to or frightened by noise and how he or she will typically react to noise.
6. Establish containment measures of the child's known routes using all appropriate means such as road, bike, and air patrol to prevent him or her from wandering farther away from the place last seen.
7. Ensure that reverse 9-1-1 system services are being used.
8. Determine if all possible community notification programs have been used, included Endangered Missing Advisories and the media.

B. Search and Rescue Measures: The supervisor shall ensure all of the following are completed regarding search and rescue.

1. Immediately provide information to search and rescue personnel about the child's special needs condition and any information about the specific behaviors or interests that may assist in searching for the child.
2. Preserve the place the child was last seen.
3. Initiate search and rescue efforts with an emphasis on bodies of water, high-hazard areas, travel corridors, routes to favorite places, previous locations visited, and any other areas of interest suggested by those who know the child.
4. Attempt to attract the child by using his or her favorite things such as playing a favorite song or driving a favorite type of vehicle into the search area.
5. Use night search techniques, if appropriate, such as projected lights and patterns, especially spinning patterns, or other types of favorite visuals to attract the missing child. Exceptional care should be taken to identify and neutralize any hazards prior to the initiation of a night search.
6. Extend search duration. Some children with special needs have unique behaviors that provide a protective effect, allowing the child to survive longer than what is considered to be a normal survival rate for a child.

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C. Recovery and Reunification Measures: The interaction between law enforcement and search and rescue personnel and a child with special needs at the time of recovery and subsequent reunification can be a traumatic experience. To deescalate and/or minimize any heightened emotions or anxieties the child may experience at the time of recovery, officers should do the following:

1. Check for any identification such as a medical bracelet or tracking device.
2. Maintain a calm and relaxed environment.
3. Contain the child in a passive way to keep him or her from running or bolting and avoid use of restraints whenever possible.
4. Bring a parent or guardian immediately to the recovery site, whenever possible, and tell the child that person is on the way.
5. Approach the child at his or her level, kneeling if necessary, and speak in a normal tone of voice using simple phrases.
6. Use a task-and-reward process to ease anxiety and enhance compliance using phrases such as, "First we are going to stay here, and then your father is going to come here."
7. Avoid assuming the child understands everything being said and done at the recovery scene.
8. Use communication aids, written instructions, drawings, or prompts if possible.
9. Use humor and familiar topics when possible. For instance if the child is wearing a shirt with a cartoon character on it, talk to the child about the character to help lessen any anxiety the child may be feeling and calm the child if upset.

508.7 Training

Affected agency members will receive initial and periodic training on this policy and any other processes

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509 Purpose - The purpose of this directive is to establish and document guidelines and procedures for the application and utilization of the Drug Detection (DD) Canines.

509.1 Authority

- A. The Department authorizes the use of canines in the Drug Detection Canine Program. Canine Handlers will adhere to State and Federal law,

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with an emphasis on search and seizure issues. Department DD Canines are for the use of drug detection and not tactical or apprehension practices.

- B. Drug Detection Canine Program focuses its enforcement efforts on the following laws:
 - 1. Controlled Substance Act, Title II (21 U.S.C. 811)
 - 2. Florida Statute 316.302
 - 3. Florida Statute 316.515
 - 4. Florida Statute 316.545
 - 5. Florida Statute 316.640
 - 6. Florida Statute 334
 - 7. Florida Statute 893
 - 8. Florida Statute 901
 - 9. Florida Statute 943

- C. The use of police service dogs for the purpose of indicating the presence of the odor of drugs is of tremendous benefit for both officers and the community. The use of a properly trained and appropriately deployed drug detector dog provides an unobtrusive method of discovering illegal contraband without infringing on an individual's expectation of privacy. In many cases the police service dog may provide probable cause resulting in seizures of drugs that would have otherwise gone undetected.

- D. Palm Bay Police Service Dogs will be trained to detect the presence of the odor of drugs in addition to their patrol function. A canine handler may conduct canine sniffs when his police dog is shown to be reliable in the detection of the presence of the odor of drugs as shown through training and deployment documentation. Before initial deployment as a drug detector team, the team must successfully complete the Palm Bay Police Department Drug Detector Evaluation. Each Canine Teams shall acquire a Drug Detector Dog Certification issued by the United States Police Canine Association, or the North American Work Dog Association once each year. Certification to international standards set forth as PSP2 will also satisfy the annual requirement. The Palm Bay Police Department Drug Detector Evaluation will be required annually.

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- E. The canine handler may utilize the drug detector dog to locate illegal drugs which may be concealed in vehicles, vessels, structures, or other containers in accordance with current law. The canine handler may utilize the drug detector dog to conduct a canine sniff during a traffic stop provided that the subject is not detained for the stop any longer than he would be if no dog were present. However, if reasonable suspicion to believe that the vehicle or vessel contains illegal drugs, the subject may be detained a reasonable amount of time to allow for the canine sniff.
- F. The canine officer may utilize his drug detector dog to assist in the location of illegal drugs during the execution of a search warrant or any other time probable cause exists for an officer to conduct a search.
- G. A canine handler may utilize the drug detector dog to locate illegal drugs by directly sniffing a person if his dog is specifically trained for such action.

509.2 Definitions

- A. **Alert** - a trained behavior that identifies the presence of a controlled substance.
- B. **Approved Canine Training** - basic canine handler training, maintenance training, and remedial training provided and/or approved by the Palm Bay Police Department.
- C. **Bite Incident** - an incident in which a DD Canine inflicts or is alleged to have inflicted physical injury by intentionally biting an individual, to include the canine handler or Canine Instructor. A bite incident does not include accidental contact between the canine and canine instructors during training exercises.
- D. **Canine** - the service animal owned by the Department.
- E. **Canine Handler** - the Palm Bay Police Department DD officer assigned to handle and care for a Department canine.
- F. **Canine Instructor** - an individual who has completed training with, and possesses current canine instructor certification through the Florida Department of Law Enforcement.
- G. **DD Canine Team** - a canine handler and a canine that together have satisfactorily completed a recognized certification process and are assigned to field operations.

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- H. Certification** - the process of testing a canine handler, a canine, or a Canine Instructor, and attesting to the fact that the handler, the canine, or the instructor has demonstrated the ability to meet at least minimum standards of competence required by the Palm Bay Police Department to be placed in an operational capacity.
- I. Certification Testing** - a comprehensive practical and/or written examination given by a recognized certified Canine Instructor, evaluating the proficiency of the handler and the canine.
- J. Controlled Substance** - any substance so designated under the Federal Controlled Substances Act (CSA) and/or state law.
- K. Detection Canine** - any canine that the Palm Bay Police Department has received, approved, and accepted for training or field use in the detection of controlled substances.
- L. Maintenance Training** - official training devoted exclusively to maintaining a Canine Team's proficiency under the supervision of a Canine Instructor.
- M. Re-certification** - the process of reaffirming that a canine handler, a canine, or a Canine Instructor has demonstrated the ability to meet the minimum standards of competence, as required under the Palm Bay Police Department's certification requirements.
- N. Remedial Training** - training required in correcting deficiencies, usually identified by either testing or any other evaluation method used during training, or supervisory evaluation during routine job performance.
- O. Search** - to explore thoroughly.
- P. Unsuitable Canine** - any canine that fails to meet Palm Bay Police Department's standards for any reason.
- Q. Untrained Canine** - a canine, which has been acquired by the Department for training, but has not completed the required basic training and certification process satisfactorily.

509.3 General Responsibilities - The DD Team provides enhanced drug interdiction enforcement to the Department, as well as outside agencies. It is designed to be a highly flexible and mobile team, performing specialized assignments that require trained Canine Teams with skills and tactics that may be associated with interdiction efforts. The DD Team functions primarily as an asset of Traffic Enforcement, but is not exclusive of any other unit or outside law enforcement agency requiring special assistance.

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509.4 Procedures

A. Selection - It is preferred that applicants for the position of DD Canine Handler have:

1. At least two (2) years of law enforcement experience within the Palm Bay Police Department, with satisfactory work performance, discipline, and leave use.
2. A willingness to care for and house the canine at the officer's residence with a secure outdoor area for the canine that conforms to the Department's requirements in [<OM A509.31>](#).
3. A strong desire to work with canines and willingness to care for and train the animal.
4. The ability to pass designated written, oral, and physical fitness tests related to canine handling.
5. The Chief of Police on an "as needed" basis may waive provisions of the selection requirements.
6. All applicants will attend the minimum basic number of hours required by the Palm Bay Police DD Canine Handler Training Program, and any other required training as so directed if selected.

B. The processes for posting Canine Handler vacancies and selection will follow the procedures outlined in [GO 410.2 Intra-Agency Lateral Assignments Procedures](#)

509.5 Training

A. Group Performance - Each Canine Team will participate in maintenance and group performance training as required. Group performance training will be of an advanced nature to include a variety of controlled substance detection methods.

1. Canine training will be under the guidance and supervision of a DD Canine Instructor or other approved Canine Instructor.
2. Any training sessions missed will be made up and coordinated through the DD Supervisor.
3. Training will be conducted with actual controlled substances called Training Aids.

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4. During group performance training, all assigned controlled substances will be inspected, weighed, and accounted for by the DD Supervisor.

B. Re-Certification

1. All canines and canine handlers must be re-certified by a DD Canine Instructor at least annually for proficiency in detecting concealed controlled substances.
2. In the event a Canine Team fails to re-certify due to handler or canine deficiencies, the Canine Team will receive forty (40) hours of remedial training conducted by a Canine Instructor. Upon completion of the remedial training, the Canine Team will be retested. Failure to re-certify during the second attempt due to handler or canine deficiencies will result in a team separation.
3. All Canine Instructors must be certified by the Florida Department of Law Enforcement.

C. Use of Controlled Substances Training Aids- See [<OM A509.48>](#)

D. Handler Responsibilities - All existing policies and procedures regarding the conduct of Palm Bay Police officers will be adhered to. In addition, the responsibilities of DD canine handlers are specified below. Violation of these policies may result in the termination of assignment as a DD canine handler and/or other appropriate action as decided by the Chief of Police.

1. DD Canine handlers will be responsible for the actions and the use of their canines when they are on duty and for actions of the canines when they are off duty.
2. Upon arrival of the DD Canine Team at a scene, the handler has the final decision as to determine whether the circumstances justify the legal use and deployment of the canine.
3. Use of the Canine Team will be limited to the scope of training received by the team and will be consistent with department policies and procedures. The handler will deny any conflicting request and will report it by memorandum to the DD Commander via the DD Supervisor.
4. Canine handlers will be subject to callouts at anytime at the discretion of the DD Supervisor.

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5. Canine handlers will maintain accurate records of all training and seizures by the DD canines and submit the originals to the Training Section through the DD Supervisor.
6. Canine handlers, whenever possible, will prevent canines from soiling public or private property. Should accidental soiling occur, canine handlers will clean the areas as soon as possible and will take appropriate steps to reduce or eliminate the possibility of harm or damage to the property.
7. Canine handlers will take steps to ensure that their canines are kept in peak condition.
8. Handlers will be responsible for the care and maintenance of the canine and all related equipment.

509.6 Instructor's Responsibilities

- A. The general duties of an DD Canine Instructor consist of, but are not limited to the following:
 1. Working under the guidance of the DD Supervisor.
 2. Coordinating all training activities through liaison with DD Canine Handlers and the DD Supervisor.
 3. Providing canine and handler certification and training as prescribed by procedure and maintaining accurate court related canine and handler documentation. The Training Section shall be the repository of all such records.
 4. Researching, developing and making recommendations on program needs to the DD Supervisor for submission to the DD Commander.
 5. Compiling reporting data and assisting in investigations and preparation of After Action Reports as directed by the DD Supervisor.

509.7 DD Supervisor Responsibilities

- A. The DD Supervisor has the primary responsibility for the supervision, accountability and documentation of all aspects of the DD Canine Program. Duties include, but are not limited to:
 1. Ensures procedures on the use of controlled substances Training Aids are followed as provided in [<OM A509.48>](#).

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2. The approval of all operational plans detailing all aspects of any special enforcement utilizing the Canine Teams. These plans will be forwarded to the DD Commander for review and final approval.
3. The preparation of "after action" reports detailing all aspects of any special enforcement utilizing the DD Canine to include positive and negative outcomes.
4. The submission of monthly reports to the DD Commander detailing enforcement action, arrests, and seizures conducted by Canine Teams.

509.8 Utilization of DD Canine Teams

A. DD Canine Teams may be used under various situations. Some of them are as follows:

1. During a valid traffic stop, a canine may be used to sniff the exterior of the vehicle.
2. The team may sniff and or search the passenger compartment of common carriers, only after all passengers have been removed or have departed from the passenger area and consent from the common carrier or it's agent is received.
3. When consent to search is received, or reasonable suspicion or probable cause exists according to law.
4. A canine may be used to sniff the interior of a particular vehicle when consent to search is received, or probable cause exists according to law.
5. A canine may be used to sniff areas which are open to public access with consent from management when practical, to include hotel/motel parking lots, truck stop parking lots, bus terminals, train yards and trains, airports and airplanes, baggage areas, etc.
6. A team may be utilized to sniff parcel post packages with the consent of management at business loading and unloading terminals.
7. Teams will not be deployed to a private residence unless accompanied by a valid search warrant and with the permission of the DD Supervisor or designee.

509.9 Prohibited Practices

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- A. There are many situations and circumstances, which would prohibit the practice of using a DD Canine. Such practices are prohibited by law, Palm Bay Police Department policies and directives and sound judgment. Violation of a prohibited practice may result in the termination of the assignment as a DD canine handler and/or other appropriate action as determined by the DD Supervisor or Commander. Some of the prohibited practices include, but are not limited to:
1. Canine Teams will never be used as street tactical enforcement teams. Handlers will not agitate their canines or administer aggression training. Handlers will not allow any person to agitate the canine or administer aggression training.
 2. As the canine is to be used for detection purposes, the handlers will not use the canines, or allow them to be used to intimidate any person or group of persons for any reason.
 3. Canine Teams may not conduct searches of structures or curtilage without a warrant or lawful consent.
 4. Canine searches for other law enforcement agencies will not be conducted without supervisory approval.
 5. Canines will not be used for breeding purposes.
 6. Canines will not be taken into public buildings unless required by official duties.

509.10 Canine Requests

- A. It is common practice that smaller law enforcement agencies, which do not have the resources or capability to maintain their own respective canine units, will, from time to time seek the assistance from other agencies to include the Palm Bay Police Department. The Department will evaluate requests for assistance in the following manner:
1. Law enforcement agencies requesting assistance from the DD Canine Team should initiate their request through the appropriate Communications Center. Communications Center will contact the nearest DD Canine Team for assistance and will provide the canine handler with a call back number to the agency making the request. The handler will respond to the request with approval from the DD Supervisor or designee.

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2. Canine requests by Palm Bay Police Department law enforcement personnel should be directed through the requesting officer's Sergeant. The immediate supervisor will contact the DD Supervisor and request the DD Canine Team. When practical and appropriate the DD Supervisor will facilitate DD canine usage by other Department entities.

509.11 Maintenance of Canine and Equipment

- A. Canines will not be left in any vehicle for a length of time to the extent that it will cause either discomfort or injury to the animal.
- B. Handlers will groom assigned canines daily and will examine the canines daily for general health.
- C. In the event a canine is determined "not fit" for duty, the DD Supervisor, DD Canine Instructor and the DD Commander will be notified.
- D. Handlers will inspect assigned canine equipment daily and any defective equipment will be brought to the attention of the DD Supervisor and DD Canine Instructor.
- E. Vehicles will be maintained in good operating condition, with the interiors being cleaned and the canine area disinfected at least twice weekly.
- F. Handlers will wear the Class C uniform when working with the canines.
- G. Veterinarian visits will be rendered by a Department designated veterinarian and coordinated by the handler with notification provided to the DD Supervisor. Preventative treatments will be kept current and documented. Veterinarian check-ups will be performed as needed or as indicated by abnormal canine behavior, illness, or injury.
- H. Handlers will maintain accurate health and immunization records, including records of all vaccinations and medications prescribed by a veterinarian.
- I. Emergency medical treatment will be rendered by a Department designated veterinarian when practical and coordinated by the handler with notification to the DD Supervisor. The handler will submit a report to the DD Supervisor with copies to the assigned DD Instructor and the DD Commander within 24 hours following the emergency.

509.12 Canine Inspection - The DD Supervisor shall follow applicable inspection requirements for DD Canine Teams as provided in [<OM A509>](#).

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509.13 Unattended Canine Unit Vehicles - The rear windows of canine vehicles may be lowered for maximum ventilation if equipped with mesh covered or other type protective screens. All Palm Bay Police Department canine vehicles will be equipped with temperature monitoring systems which will be used at all times when the vehicles are in service.

509.14 Kenneling - See [<OM A509.31>](#).

509.15 Canine Related Injury Investigation - The DD Supervisor will ensure that applicable procedures in [<GO 509.12>](#) and [<OM A509.21>](#) are followed.

509.16 Missing Canines

A. If a canine is determined to be missing, the handler will immediately search the area of last contact. If the canine is not recovered, the canine handler will notify the DD Supervisor and DD Canine Instructor, reporting the location and the circumstances of the disappearance. The supervisor will immediately notify the DD Commander and the USD Commander. The DD Supervisor will arrange to do the following:

1. Arrange for and coordinate an area search using on duty personnel available.
2. Notify local law enforcement agencies of the loss and solicit assistance, when appropriate.
3. Notify the local Animal Control office of the loss and furnish a description of the canine.
4. Ensure that if the canine is not located, the handler conducts a daily physical check of all local Animal Control offices for an appropriate period.
5. Require a memorandum from the canine handler including all circumstances of the escape or loss.
6. Submit all memoranda to the DD Commander who will investigate and determine the cause of and the circumstances of the escape or loss. All findings will be forwarded to the DD Commander and an informational copy will be provided to the Chief of Police.

509.17 Death of a Canine

A. Upon the death of a canine, the handler will immediately notify the DD Supervisor and the DD Commander. The DD Commander will notify the

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USD Commander. The following is the responsibility of the DD Canine Instructor:

1. Arrange a necropsy with a Department-approved veterinarian in the event the canine dies under suspicious circumstances as directed by the DD Commander. The canine's remains will be buried in a pet cemetery or cremated and disposed appropriately, with the cost to be borne by the Department.
2. Submit a report, including the circumstances and the cause of death to the DD Commander, who will investigate and document the cause and circumstances of the death.

509.18 Retirement of a Canine - See [<OM A509.51>](#)

509.19 Return of a Canine to the Vendor - In the event that canine is unacceptable upon purchase and must be returned, existing policies, and procedures in place by the Florida Department of Transportation, Motor Carrier Compliance Office will be adhered to.

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2. A willingness to care for and house the canine at the officer's residence with a secure outdoor area for the canine that conforms to the Department's requirements in [<OM A509.31>](#).
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4. The ability to pass designated written, oral, and physical fitness tests related to canine handling.
5. The Chief of Police on an "as needed" basis may waive provisions of the selection requirements.
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2. Any training sessions missed will be made up and coordinated through the DD Supervisor.
3. Training will be conducted with actual controlled substances called Training Aids.
4. During group performance training, all assigned controlled substances will be inspected, weighed, and accounted for by the DD Supervisor.

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B. Re-Certification

1. All canines and canine handlers must be re-certified by a DD Canine Instructor at least annually for proficiency in detecting concealed controlled substances.
2. In the event a Canine Team fails to re-certify due to handler or canine deficiencies, the Canine Team will receive forty (40) hours of remedial training conducted by a Canine Instructor. Upon completion of the remedial training, the Canine Team will be retested. Failure to re-certify during the second attempt due to handler or canine deficiencies will result in a team separation.
3. All Canine Instructors must be certified by the Florida Department of Law Enforcement.

C. Use of Controlled Substances Training Aids- See [<OM A509.48>](#)

D. Handler Responsibilities - All existing policies and procedures regarding the conduct of Palm Bay Police officers will be adhered to. In addition, the responsibilities of DD canine handlers are specified below. Violation of these policies may result in the termination of assignment as a DD canine handler and/or other appropriate action as decided by the Chief of Police.

1. DD Canine handlers will be responsible for the actions and the use of their canines when they are on duty and for actions of the canines when they are off duty.
2. Upon arrival of the DD Canine Team at a scene, the handler has the final decision as to determine whether the circumstances justify the legal use and deployment of the canine.
3. Use of the Canine Team will be limited to the scope of training received by the team and will be consistent with department policies and procedures. The handler will deny any conflicting request and will report it by memorandum to the DD Commander via the DD Supervisor.
4. Canine handlers will be subject to callouts at anytime at the discretion of the DD Supervisor.
5. Canine handlers will maintain accurate records of all training and seizures by the DD canines and submit the originals to the Training Section through the DD Supervisor.

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6. Canine handlers, whenever possible, will prevent canines from soiling public or private property. Should accidental soiling occur, canine handlers will clean the areas as soon as possible and will take appropriate steps to reduce or eliminate the possibility of harm or damage to the property.
7. Canine handlers will take steps to ensure that their canines are kept in peak condition.
8. Handlers will be responsible for the care and maintenance of the canine and all related equipment.

509.6 Instructor's Responsibilities

- A. The general duties of an DD Canine Instructor consist of, but are not limited to the following:
 1. Working under the guidance of the DD Supervisor.
 2. Coordinating all training activities through liaison with DD Canine Handlers and the DD Supervisor.
 3. Providing canine and handler certification and training as prescribed by procedure and maintaining accurate court related canine and handler documentation. The Training Section shall be the repository of all such records.
 4. Researching, developing and making recommendations on program needs to the DD Supervisor for submission to the DD Commander.
 5. Compiling reporting data and assisting in investigations and preparation of After Action Reports as directed by the DD Supervisor.

509.7 DD Supervisor Responsibilities

- A. The DD Supervisor has the primary responsibility for the supervision, accountability and documentation of all aspects of the DD Canine Program. Duties include, but are not limited to:
 1. Ensures procedures on the use of controlled substances Training Aids are followed as provided in [<OM A509.48>](#).
 2. The approval of all operational plans detailing all aspects of any special enforcement utilizing the Canine Teams. These plans will be forwarded to the DD Commander for review and final approval.

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3. The preparation of "after action" reports detailing all aspects of any special enforcement utilizing the DD Canine to include positive and negative outcomes.
4. The submission of monthly reports to the DD Commander detailing enforcement action, arrests, and seizures conducted by Canine Teams.

509.8 Utilization of DD Canine Teams

A. DD Canine Teams may be used under various situations. Some of them are as follows:

1. During a valid traffic stop, a canine may be used to sniff the exterior of the vehicle.
2. The team may sniff and or search the passenger compartment of common carriers, only after all passengers have been removed or have departed from the passenger area and consent from the common carrier or it's agent is received.
3. When consent to search is received, or reasonable suspicion or probable cause exists according to law.
4. A canine may be used to sniff the interior of a particular vehicle when consent to search is received, or probable cause exists according to law.
5. A canine may be used to sniff areas which are open to public access with consent from management when practical, to include hotel/motel parking lots, truck stop parking lots, bus terminals, train yards and trains, airports and airplanes, baggage areas, etc.
6. A team may be utilized to sniff parcel post packages with the consent of management at business loading and unloading terminals.
7. Teams will not be deployed to a private residence unless accompanied by a valid search warrant and with the permission of the DD Supervisor or designee.

509.9 Prohibited Practices

- A. There are many situations and circumstances, which would prohibit the practice of using a DD Canine. Such practices are prohibited by law, Palm Bay Police Department policies and directives and sound

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judgment. Violation of a prohibited practice may result in the termination of the assignment as a DD canine handler and/or other appropriate action as determined by the DD Supervisor or Commander. Some of the prohibited practices include, but are not limited to:

1. Canine Teams will never be used as street tactical enforcement teams. Handlers will not agitate their canines or administer aggression training. Handlers will not allow any person to agitate the canine or administer aggression training.
2. As the canine is to be used for detection purposes, the handlers will not use the canines, or allow them to be used to intimidate any person or group of persons for any reason.
3. Canine Teams may not conduct searches of structures or curtilage without a warrant or lawful consent.
4. Canine searches for other law enforcement agencies will not be conducted without supervisory approval.
5. Canines will not be used for breeding purposes.
6. Canines will not be taken into public buildings unless required by official duties.

509.10 Canine Requests

- A. It is common practice that smaller law enforcement agencies, which do not have the resources or capability to maintain their own respective canine units, will, from time to time seek the assistance from other agencies to include the Palm Bay Police Department. The Department will evaluate requests for assistance in the following manner:
 1. Law enforcement agencies requesting assistance from the DD Canine Team should initiate their request through the appropriate Communications Center. Communications Center will contact the nearest DD Canine Team for assistance and will provide the canine handler with a call back number to the agency making the request. The handler will respond to the request with approval from the DD Supervisor or designee.
 2. Canine requests by Palm Bay Police Department law enforcement personnel should be directed through the requesting officer's Sergeant. The immediate supervisor will contact the DD Supervisor and request the DD Canine Team. When practical and appropriate

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the DD Supervisor will facilitate DD canine usage by other Department entities.

509.11 Maintenance of Canine and Equipment

- A.** Canines will not be left in any vehicle for a length of time to the extent that it will cause either discomfort or injury to the animal.
- B.** Handlers will groom assigned canines daily and will examine the canines daily for general health.
- C.** In the event a canine is determined "not fit" for duty, the DD Supervisor, DD Canine Instructor and the DD Commander will be notified.
- D.** Handlers will inspect assigned canine equipment daily and any defective equipment will be brought to the attention of the DD Supervisor and DD Canine Instructor.
- E.** Vehicles will be maintained in good operating condition, with the interiors being cleaned and the canine area disinfected at least twice weekly.
- F.** Handlers will wear the Class C uniform when working with the canines.
- G.** Veterinarian visits will be rendered by a Department designated veterinarian and coordinated by the handler with notification provided to the DD Supervisor. Preventative treatments will be kept current and documented. Veterinarian check-ups will be performed as needed or as indicated by abnormal canine behavior, illness, or injury.
- H.** Handlers will maintain accurate health and immunization records, including records of all vaccinations and medications prescribed by a veterinarian.
- I.** Emergency medical treatment will be rendered by a Department designated veterinarian when practical and coordinated by the handler with notification to the DD Supervisor. The handler will submit a report to the DD Supervisor with copies to the assigned DD Instructor and the DD Commander within 24 hours following the emergency.

509.12 Canine Inspection - The DD Supervisor shall follow applicable inspection requirements for DD Canine Teams as provided in [<OM A509>](#).

509.13 Unattended Canine Unit Vehicles - The rear windows of canine vehicles may be lowered for maximum ventilation if equipped with mesh covered or other type protective screens. All Palm Bay Police Department canine

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vehicles will be equipped with temperature monitoring systems which will be used at all times when the vehicles are in service.

509.14 Kenneling - See [<OM A509.31>](#).

509.15 Canine Related Injury Investigation - The DD Supervisor will ensure that applicable procedures in [<GO 509.12>](#) and [<OM A509.21>](#) are followed.

509.16 Missing Canines

A. If a canine is determined to be missing, the handler will immediately search the area of last contact. If the canine is not recovered, the canine handler will notify the DD Supervisor and DD Canine Instructor, reporting the location and the circumstances of the disappearance. The supervisor will immediately notify the DD Commander and the USD Commander. The DD Supervisor will arrange to do the following:

1. Arrange for and coordinate an area search using on duty personnel available.
2. Notify local law enforcement agencies of the loss and solicit assistance, when appropriate.
3. Notify the local Animal Control office of the loss and furnish a description of the canine.
4. Ensure that if the canine is not located, the handler conducts a daily physical check of all local Animal Control offices for an appropriate period.
5. Require a memorandum from the canine handler including all circumstances of the escape or loss.
6. Submit all memoranda to the DD Commander who will investigate and determine the cause of and the circumstances of the escape or loss. All findings will be forwarded to the DD Commander and an informational copy will be provided to the Chief of Police.

509.17 Death of a Canine

A. Upon the death of a canine, the handler will immediately notify the DD Supervisor and the DD Commander. The DD Commander will notify the USD Commander. The following is the responsibility of the DD Canine Instructor:

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1. Arrange a necropsy with a Department-approved veterinarian in the event the canine dies under suspicious circumstances as directed by the DD Commander. The canine's remains will be buried in a pet cemetery or cremated and disposed appropriately, with the cost to be borne by the Department.
2. Submit a report, including the circumstances and the cause of death to the DD Commander, who will investigate and document the cause and circumstances of the death.

509.18 Retirement of a Canine - See [<OM A509.51>](#)

509.19 Return of a Canine to the Vendor - In the event that canine is unacceptable upon purchase and must be returned, existing policies, and procedures in place by the Florida Department of Transportation, Motor Carrier Compliance Office will be adhered to.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: In-Car Video and Audio Recording Procedures	OM No: C505	
Rescinds: OMC505 Revised: 04/04/15	CFA 5th: 32.02	Revised: 12/21/17
Reference: GO 214, 307		

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505.4	<u>Training</u>
505.5	<u>Data Retention</u>
505.6	<u>Restrictions</u>

505 Purpose

This directive establishes an operating procedure for the use of departmental in-car camera systems. The purpose of in-car camera systems is to increase the ability of officers to effectively enforce the law, document actions, obtain evidence for criminal prosecution, author reports, protect officers from false allegations and document interactions with the public. **Only department owned and authorized camera systems will be used.**

505.1 Responsibilities

- A.** Officers who have in-car camera systems in their assigned patrol vehicles will ensure at the beginning of their tour of duty that the camera system is functional, has sufficient storage space to allow recording of police interaction and any batteries required (such as for the wireless microphone) are charged.
- B.** The camera system will be left in a standby mode while on duty to ensure the system is ready to capture video upon activation.
- C.** Officers who discover there is any damage or any malfunction of the system shall immediately report the condition to their supervisor in writing (by email or memorandum).

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- D. Officers will ensure the recorded camera footage is wirelessly uploaded at least once a shift unless the officer does not record any video footage during their tour of duty. Officers will utilize City of Palm Bay Wi-Fi locations or IT provided wi-fi hotspots to upload the videos. Personal or public wi-fi hotspots are **not** authorized for these uploads. Officers will be able to access and view uploaded video footage on the cloud storage website.
- E. The Records Section is responsible for the management of the cloud storage of the video files.
- F. Records personnel will have administrative access to the video files on the cloud storage site to download, share, redact or delete video files as necessary in compliance with applicable retention laws and the entirety of this operating manual.
- G. When receiving a request for a video file(s) from the State Attorney's Office, Public Defender's Office or from a defense attorney, the Records Section will provide the link for the video to the requesting party and allow the video to be downloaded for court purposes from the provided link. Public records requests for videos from a non-governmental entity such as a citizen or news media outlet will be redacted in accordance with Florida Statutes and then burned to a digital media such as a CD or DVD and provided to the requesting party.
- H. Officers are responsible for creating a case on the cloud storage website and adding any associated video(s) to the created case, for every video event of evidentiary nature. Videos that are of evidentiary nature are videos that will or are likely to be used in criminal prosecution. If there are multiple videos either from the same officer or multiple officers; the primary officer will ensure all videos from that event are added. For all cases involving an arrest or where a capias request will be filed; officers will also create a share on the cloud storage website and add the State Attorney's Office to the share (using the email address PBPD@sa18.org). The Records Section is ultimately responsible for ensuring the videos are shared properly and answering any specific requests.

505.2 Activation Criteria

- A. When practical, officers will activate the in-car camera system under the following conditions:

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1. Self-initiated traffic stops.
 2. Self-initiated contact with suspicious persons or vehicles.
 3. Emergency responses.
 4. Vehicle pursuits.
 5. DUI Investigations (driving patterns / field sobriety tests).
 6. Prisoner transports.
 7. In-progress critical incidents such as homicides, active shooters or other significant events.
 8. Any event for which the officer deems the use of the camera system to be beneficial to an investigation or departmental business.
- B.** Officers shall record the entirety of the enforcement action and shall not stop the in-car camera recording prematurely.

505.3 Documentation

- A.** Officers who utilize an in-car camera system during any criminal case shall document in the call for service or in any written report that the in-car camera system was utilized for discovery purposes. Officers will list the DR number on the video recording file for criminal cases. If the camera is activated for any other reason (traffic stop, citizen contact, etc.), the officer will at minimum document the recording with the corresponding CFS number.
- B.** In the instance where a video is recorded during a criminal case, officers completing the Mobile One report will create a property page with the property type "Other" and the property subtype of "Video – Cloud." Officers should use the item number "VUV."

505.4 Training

- A.** Officers who are assigned or use an in-car camera system will first complete a department approved training course prior to utilizing the system. The course will cover a basic overview of the actual equipment, use and function of the camera system and submitting and reviewing of the video files.

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- B. Records personnel who manage the in-car camera video files will be trained on how to use the software, records retention criteria and how to share or distribute the videos. They will also be trained on the redaction capabilities of the software.

505.5 Data Retention

- A. All non-evidentiary recordings (those recordings that are not a part of a criminal case but have other evidentiary value such as routine traffic stops, emergency responses, TCP points, etc.) will be retained for a minimum of 90 days and no more than one year from the video upload date.
- B. Recordings that have an evidentiary value (such as recordings of an arrest, an interview of a defendant or otherwise involving any criminal case) shall be retained until the case is disposed of and any appeal or statutory retention period has passed.
- C. Records personnel will ensure the evidentiary recordings are moved into the long-term storage section of the cloud storage prior to one year from the upload date.

505.6 Restrictions

- A. Officers who have an in-car camera system in their patrol vehicles shall not utilize the system for non-law enforcement activities such as personal recordings, private and non-departmental surveillance, private encounters or activity that is not within the scope of an officer's official duty.
- B. Officers shall not use any method to intentionally interfere with the capability of the system to record video or audio data or erase, alter, modify or tamper with recordings. Officers will immediately notify their immediate supervisor in the event of equipment failure to record or any other malfunction.
- C. Officers will not have any administrative access to the cloud storage files or otherwise redact or delete video files from the cloud storage website.
- D. Officers will not utilize any personally owned in-car camera system. Officers are not authorized to use any personally owned recording devices including but not limited to: cell phones, action sports cameras, body cameras or any other devices to record audio or video.
- E. All recordings are subject to the provisions of Florida Statutes Chapter 119.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Digital Photography & Video	Order No: 601	
Rescinds: GO 601 Revised: 08/18/11	CFA 5th:	Revised: 7/14/15
Reference: GO 307, OM C505		

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601.1	<u>Training</u>
601.2	<u>Storage of Original Images</u>
601.3	<u>Documentation of Evidence</u>
601.4	<u>Use of Digital Images</u>

601 Policy

- A.** The Agency comprehensively documents evidence of crime. Digital imaging techniques are used extensively throughout the Agency to document evidence. This policy sets forth a procedure concerning the collection, processing, and preservation of digital evidence. It establishes training protocols for the uses of the different types of equipment, storage of original images, and ensuring authenticity.
- B.** The directive applies to all members who use digital imaging in the performance of their duties.

601.1 Training

- A. Responsibility for Training** - The Crime Scene Unit is responsible for providing training on digital imaging equipment. Training will precede any anticipated use of the equipment to collect evidence.
- B. Initial Training** - Training will be provided to all members who are issued digital imaging equipment. The training will encompass this directive, nomenclature of equipment, collection techniques ensuring the best documentation, processing, preservation and storage. Properly trained personnel establish protocol that certifies the authenticity of the collected data.

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- C. Lesson Plans** - The Crime Scene Unit is responsible for the submission of lesson plans to the Training Section, prior to training members. The lesson plan shall include the make and model of the equipment members will be trained on, the nomenclature of the equipment, collection techniques, processing, preservation, packaging, storage, and methods ensuring authenticity.
- D. Attendance List** - The assigned trainer is responsible to provide the Training Section a list of personnel who have completed this training.

601.2 Storage of Original Images

- A.** All original digital evidence (videos, cassettes, CD's) shall be labeled, sealed in an evidence bag, and submitted into evidence according to Property & Evidence. [GO 701](#)
- B.** Property and Evidence shall ensure the safety and security of digital media by not exposing them to magnetic or electrical fields while locked and secured in their possession.

601.3 Documentation of Evidence

A. Scene and Evidence Photographs

1. Photograph the entire scene (overall) to reflect the relationship to the surrounding area(s) to gain perspective and proximity.
2. Photograph a mid-range perspective to show the relationship of evidence in a scene.
3. Photograph close-up images of evidence for comparison such as fingerprints, footprints and shoe/tire/fiber impressions. Use tripod when needed. When photographing shoe impressions or tire impressions, place a north arrow next to the impression to show direction.
4. Photograph the scene as it is found upon arrival, and then if necessary scales and/or numbers can be added and secondary photographs can be taken.
5. Photograph all items that could be altered or destroyed during collection prior to collecting them. Use scales when necessary.
6. Photograph in color to show evidence such as prints in blood or fibers in fabric.

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B. Injury Photographs

1. Photographs should be taken of any injury produced from a criminal act, including, but not limited to Domestic Violence and Battery cases.
2. Mid-range photograph showing injury and other body parts.
3. Close-up photograph with and without scale.

C. Video Imaging

1. Video imaging will supplement Digital and Film photography on an “as needed/requested” basis, with the exception of Homicide and Traffic Homicide cases, where video of the scene will be mandatory.
2. No digital manipulation will be done to the Original Video Footage. If digital manipulation is required for Investigative or Court purposes, a copy of the original footage will be copied to another cassette and labeled as such.
3. On any video cassette of evidentiary value, the protection tab shall be removed or placed into the “locked” position to protect the footage. “In store/on scene” video cassettes and evidentiary video cassettes should be protected as above **prior** to viewing to protect the footage from accidental recording/damage.
4. Non-evidentiary video shall follow the in-car video procedures as provided in [OMC 505](#).

601.4 Use of Digital Imaging - The following procedures will be followed to gather, edit, and ensure authenticity of digital images.

- A. Digital Images will be taken at the maximum “.jpeg” resolution of the camera equipment being used.
- B. The principle requiring the photographer to testify that the photo accurately represents what they observed has not changed. When an image is captured it should be previewed to judge the quality. If the quality of the image is not sufficient, i.e., too dark, too light, or blurred, adjust for the problem and recapture another image. **DO NOT DELETE THE ORIGINAL IMAGE.** No digital manipulation shall be done to the Original Digital Images. If digital manipulation is required for Investigative or Court purposes, they can be

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copied to a separate digital storage media from the Original Raw Images and labeled as such when resubmitting them to evidence.

1. Members collecting digital evidence photographs and videos shall provide a written report or supplement to the case containing the following information in addition to a property report.
 - a. Description of evidence digitally captured to include description of injuries, scenes, or physical evidence.
 - b. Written testament in the report that no alteration, modification, or enhancements were performed on the digital evidence.
- C. All digital evidence and digital recordings are the property of the Agency and subject to rules provided in Recording Material [GO307](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Criminal Investigations Responsibilities	Order No: 602	
Rescinds: GO 602 Revised: 04/08/15	CFA 5th: Chapter 15	Revised: 05/10/18
Reference: OM A602, GO 502		

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602.2	<u>Investigator Call Out Criteria</u>
602.3	<u>Investigator Responsibilities On Scene</u>
602.4	<u>USD Officer Responsibilities at Scene</u>

602 Policy - The Agency established the Criminal Investigations Division in furtherance of the Agency's mission. The Criminal Investigations Division conducts follow-up investigations on the most serious and complicated of crimes. This Division is also tasked with the discovery and recovery of evidence and the systematic identification and classification of suspects arrested.

602.1 Components of Criminal Investigations Section

A. Major Case Unit - Investigates a wide variety of crimes that include, but are not limited to the following:

1. Unattended Deaths (excluding traffic)
2. Robbery
3. Aggravated Battery
4. Bombs and Bomb Threats
5. Missing Adults (Kidnapped, Abducted, Endangered)
6. Shooting Incidents (where a subject or property is shot at or struck, to include accidental shootings)
7. Arson to structure at the request of the Fire Marshall

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8. Threats of Mass Violence
9. Economic and Financial Crimes
 - a. Fraud cases when the reported loss is greater than \$5000
 - b. Exploitation (Financial) of the Elderly / Vulnerable adults cases
 - c. Assigned cases.
- B. Special Victims Unit** - Investigates a wide variety of crimes that include, but are not limited to the following:
 1. Sex Crimes
 2. Child Abuse and Neglect
 3. Elder (Vulnerable Adult) Abuse and Neglect
 4. Child Pornography
 5. Missing Children (Kidnapped, Abducted, Endangered, not to include runaways).
- C. Game Over Task Force** - A member from the agency is selected to take part in a countywide task force targeting and taking enforcement action on known violent offenders.
- D. Crime Scene Unit** - The Crime Scene Unit processes crime scenes, including photographs, videos, evidence collection, latent evidence retrieval, sketching and other documentation.
 1. Crime Scene Technicians also process any in house lab requests of evidence or contraband that is requested by a member and approved by their supervisor. This includes any evidence processing and/or storage of items in the evidence shed.
 2. A member of the Crime Scene Unit will also be tasked with assisting the DNA Administrator in reviewing, sending, and collection of necessary data regarding the DNA program.

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E. Identification Unit - The Identification Unit classifies criminal and non-criminal fingerprint cards and maintains index card files, fingerprint card files and palm print files. The assigned member(s) will also assist in examining latent print cards for evidentiary value.

F. SCRIS - SS Task Force - A member from the Agency is selected to take part in a federal task force assigned to investigate various high level fraud-related crimes.

602.2 Investigator Call-out Criteria - An investigator should be called and respond to the scene of a crime under the following conditions.

A. When requested by a USD supervisor.

B. When a victim has been seriously injured.

C. When a suspect is apprehended that has been involved in a crime that falls under the Criminal Investigations Section responsibility.

D. When a suspect has been identified, in a crime that falls under the CIS responsibility, USD will notify CIS and the investigator will decide on response.

E. When the facts of the case indicate a successful follow up investigation can and should be conducted immediately.

602.3 Investigator Responsibilities at Scene - In most situations, where the crime scene has any degree of complexity, it will be necessary for the lead investigator to coordinate with investigations and USD supervisors to ensure these steps are completed.

A. Assume Responsibility - Assume responsibility for the investigation.

B. Ensure Initial Investigation is Completed - Ensure the initial investigative action has been taken by USD and take additional steps as necessary.

C. Interviews - Interview the victims and witnesses of the offense.

D. Canvass - Ensure that a proper canvass of the area has been conducted and indicate the names and addresses of all persons interviewed, including a summary of their observations.

E. Property Identification - If identifiable property has been taken ensures that the information is included in initial reports and FCIC/NCIC.

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- F. Broadcast Additional Information** - Broadcast additional information as necessary and request intelligence bulletins be distributed.
- G. Photographic Array** - Conduct a photo line-up when sufficient suspect information has been developed. See [GO 605](#)
- H. Lead Follow-up** - Follow up all available leads to a conclusion prior to terminating initial investigation.
- I. Crime Scene Unit** - Request the Crime Scene Unit respond when the scene requires.

602.4 USD Officer Responsibilities at Scene - Officers responding to crime scenes are an integral part affecting the solvability of the case. Generally, officers will ensure the following tasks are accomplished when responding to criminal complaints in order to ensure CIS can properly conduct a follow-up when necessary. Also see Call Handling and Preliminary Investigations [GO502](#)

- A. Medical Aid** - Render or summon medical aid for those injured. Note the names, identification numbers, and organization providing medical attention.
- B. Apprehend suspect** - Apprehend the suspect if probable cause exists.
- C. Secure Scene and Preserve Evidence** - Officers will ensure the scene is secured and evidence is preserved and uncontaminated until it is properly photographed, collected, and documented.
- D. Identify and Separate Witnesses** - In order to obtain untainted witness statements the witnesses should be separated so as not to hear or be party to other witness, victim, or suspect statements. Officers will ensure witnesses are separated, controlled and remain on scene, **when legally possible**, or other appropriate location until a sworn written or tape-recorded statement can be obtained.
- E. Canvass the Area** - A thorough canvass of neighbors or bystanders to include their names, addresses, and phone numbers and whether or not they witnessed anything is basic yet critical to thorough investigations.
- F. Investigator Call-out** - The USD supervisor may call-out an investigator if the circumstances meet the criteria in 602.2. On investigations that do not meet these criteria, Crime Scene Technician may be called out if needed due to the amount, type, or complexity of the scene.

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G. Relay Information - Broadcast BOLO information as necessary.

H. Document - Thoroughly document the investigation in an initial report.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Special Investigations	Order No: 603	
Rescinds: GO 603 Revised: 12/15/15	CFA 5th:	Revised: 05/04/16
Reference: OM A603		

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603 Policy

Special Investigations are more specific investigative functions into criminal activity related to narcotics, vice crimes, organized crime and gathering intelligence information linked to these crimes. The investigations are comprehensive and include undercover and covert operations that may involve other jurisdictional authorities from the local, state and federal levels. The Agency has assigned primary responsibilities for these types of investigations to a component of the Special Operations Division (SOD). Unless prior approved by the Special Operations Division Commander, or designee, only designated officers assigned to SIU are authorized to conduct comprehensive follow-up investigations of the following criminal activity as provided in Special Investigations Operating Manual: [<OM A603>](#)

- A.** Gambling operations.
- B.** Prostitution.
- C.** Adult Entertainment Law and/or Ordinance violations.
- D.** Commercialized vice activities.
- E.** Narcotics possession, sales, smuggling operations, trafficking and related activities.
- F.** Organized crime activities.
- G.** Gang activity and Intelligence - Be familiar with Florida State Statute 874

H. Money laundering violations.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Interviews & Interrogations		Order No: 604
Rescinds: GO 604 Revised: 06/27/16	CFA 5th: 15.18	Revised: 05/31/17
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604 Policy

Statements made by suspects are essential to the successful prosecution of criminal investigations. It is the responsibility of all officers investigating criminal activity to attempt interviews or interrogations with witnesses, victims and suspects. The admissibility of suspect statements is contingent upon the officer's diligent application of the suspect's Constitutional Rights, when required.

604.1 Definitions

- A. Interview** - An interview is a method used to obtain information from persons who are willing (cooperative) to provide it. Typically, interviews are question and answer sessions with the other party volunteering information.
- B. Interrogation** - An interrogation is a method of obtaining information from reluctant (un-cooperative) persons. Typically, interrogations are question and answer sessions with another party who will not volunteer information, but provides information inconsistent with the known facts of the case.
- C. Custodial Interview/Interrogation** - A custodial interview or interrogation happens when an officer questions a suspect who is in custody or a suspect has been stopped, or in some other way, is not free to leave.

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- D. Non-Custodial Interview/Interrogation** - A non-custodial interview or interrogation happens when an officer questions a suspect who is not in custody and reasonably believes they are free to terminate conversation and leave the presence of the officer at any time.
- E. Constitutional Rights** - Under the Supreme Court case law of *Miranda v. Arizona*, all officers are required to advise a suspect of their Constitutional Rights regarding self-incrimination and their rights to representation by an attorney prior to being interviewed or interrogated while in custody or formally charged. The suspect must voluntarily waive these rights prior to being interviewed/interrogated. The advisement of their Constitutional Rights and voluntary waiver must be witnessed by two people. The officer advising the suspect of his/her rights may also serve as a witness to the waiver. An officer may witness the waiver from a remote location via closed circuit television.

604.2 Non-Custodial Interviews

- A. Spontaneous Utterances** - An officer must also note that “spontaneous utterances” made in the presence of sworn personnel are admissible as evidence even when the suspect in custody was not warned of his/her rights, provided statements are made voluntarily and not in response to police questioning.
- B. Factors to consider if an interview is non-custodial**
1. The suspect summons police and/or initiates the interview.
 2. At a location where a reasonable person would feel free to leave.
 3. Statements made in response to comments, not intended to elicit an incriminating response.
 4. There is no overwhelming police presence.
 5. A suspect who voluntarily comes to the police station at the invitation of an officer and is told prior to questioning that he is not under arrest. [Oregon v Mathiason 429 US 492 \(1977\)](#)
 6. The suspect is not under arrest.
- C. Surreptitious Recording** - Surreptitious recording is recording suspect statements without their knowledge, when they do not have an expectation of privacy, and are not responding to questioning. The conditions must meet the requirements of Florida Statutes 934. The following are examples:

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1. While in custody in the back of a police car with a co-defendant or other involved person.
2. While in custody during the booking process where the suspect is not being asked questions.
3. When a suspect engages in conversation unknowingly with an informant or undercover police officer regarding a crime.
4. During a controlled telephone call where one party consents to the recording

604.3 Custodial Interrogations

A. Constitutional warning required - Officers must advise a suspect of their Constitutional Rights before questioning about a crime when:

1. The suspect is under arrest and the officer wants to interview the subject about the crime.
2. During custodial questioning about the crime.
3. When questioning occurs in a police-dominated atmosphere, or the person would reasonably feel that he/she could not leave the presence of the officer(s).

B. Procedure for Issuing Constitutional Warning and Waiver of Rights

1. When possible, Constitutional Warnings should be read from the Agency's waiver of rights form. The suspect should sign the form and each category initialed prior to the interview or interrogation. This signed form will become a part of the case file. [Warning of Rights Form](#)
2. When the constitutional warnings are given verbally the officer should note the time, date, and place that the rights were advised. These warnings should be read directly from the Agency's Rights Card.
3. Every attempt will be made by the officer to record the reading of the Constitutional Warning and waiver of rights by either tape recording, video recording, or with a written statement. Admissions in this environment that are not recorded may be suppressed in court.

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4. Exceptions

- a. During a field sobriety test. [Pennsylvania v Bruder 488 US 9 \(1988\).](#)
- b. During a traffic stop where the suspect has not been informed they are under arrest and are merely subject to a traffic stop, statements admitting to intoxication are admissible at trial. [Berkemer v McCarty, 468 US 420 \(1984\)](#)
- c. Officers do not need to inform a suspect (in-custody) of their rights regarding items that pose a danger to public safety such as; where is the gun or bomb. [New York v Quarles 467 US 649 \(1984\)](#)

C. Procedures for Taped Confessions and Sworn Statements - Admissions and sworn statements should be video recorded whenever possible or audio recorded when circumstances do not allow video recording. When a suspect refuses to be recorded, the details should be noted in the investigator's report. When conducting video/audio recorded statements, the following should be included:

1. Introduction stating officer conducting the interview, date, time, location, and case number.
2. Subject should identify himself/herself with Name, Address (work & home), and date of birth, social security number, phone number (work & home).
3. When necessary, Constitutional Rights should be read on the tape.
4. Subjects should be interviewed using the interview rooms at the station, when possible.
5. No prisoner should be left alone or unsecured in the interview room. **Procedures in [\(See GO 211.5\)](#) will be followed.**
6. Audio recorded statements from witnesses should include name, address (work & home), and date of birth, social security number, phone number (work & home) and should cover all pertinent information about the case.

D. Interviews of victims, suspects, or defendants with autism or an autism spectrum disorder [<FSS 943.0439>](#)

1. Upon the request of an individual diagnosed with autism or an autism spectrum disorder or his or her parent or guardian, a good faith effort must be made to contact a psychiatrist, psychologist, mental health counselor,

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special education instructor, clinical social worker, or related professional and have them present at all interviews of the individual.

The professional must have experience treating, teaching, or assisting patients or clients who have been diagnosed with autism or an autism spectrum disorder or related developmental disability or must be certified in special education with a concentration focused on persons with autism or autism spectrum disorder.

2. Any expenses related to the attendance of the professional at interviews shall be borne by the requesting parent, guardian, or individual.
3. If the person is a victim, the defendant shall reimburse the victim for all expenses related to the attendance of the professional at the interview, in addition to other restitution provided by law, upon conviction of the offense of which the individual is a victim.
4. Coordination for having a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional should be done through the Communications Center and noted in the report. If a professional responds, that person's name should be added to the report including their background or expertise (psychologist, psychiatrist, etc.).

604.4 Procedures

A. Interviews - Witnesses should be interviewed as soon as possible after the incident is under investigation.

1. Witnesses should remain at the scene until interviewed.
2. It is important to obtain names, addresses and telephone numbers of witnesses for later follow-up contact.
3. Record the date, time and location of interview.
4. Consideration must be given to the physical and emotional state of the witnesses. Calm the excited or emotionally upset witness.
5. Conduct the interview in a quiet area, when possible.
6. Maintain privacy to the best possible degree.
7. Interview each witness separately.

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8. The objective of the interview is to establish a cooperative relationship between the witness and the interviewer. To achieve this objective the interviewer must:
 - a. Display a sincere interest.
 - b. Be patient and tactful.
 - c. Be respectful.
 - d. Control personal feelings.
 - e. Provide reassurance.
9. The interviewer must be clearly identified as a member of the Police Department.
10. There are a number of factors that affect the reliability of witnesses.
 - a. Physical disability.
 - b. Alcohol or narcotic consumption.
 - c. Emotional stability of witnesses.
 - d. Prejudices of witnesses.
 - e. Physical location of witnesses.
 - f. Age, educational and cultural background of witnesses.
11. It can be difficult to keep the witness or the subject at hand. The interviewer must let the witness talk, but may need to intervene with questions. Listen carefully for omissions or inconsistent statement.
12. Withhold direct questioning until the witness has given a complete account to clarify statements or fill omissions.
 - a. Questions should be clear, definite and in plain language.
 - b. Ask only one question at a time.
 - c. Avoid questions that imply or suggest a particular answer.

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- d. Avoid questions that require a yes or no answer.
- e. Do not let your questioning be swayed by a prejudiced or emotional witness.
- f. Interviews should be conducted in a courteous and professional manner.
- g. In ending, a summary should be covered.

B. Interrogations - In every criminal investigation, evidence of the crime linked to the defendant must be presented in court to resolve the incident with a conviction. The basic right of each defendant has been the basic Fifth Amendment right of the U.S. Constitution against government compelled self-incrimination. Officers should recognize there is a distinction between those defendants who are in custody and those who are not in a custodial situation. **If the suspect knowingly and willingly waives his rights to constitutional protection, the interrogation can then proceed, if the suspect was not tricked or coerced into submitting to questioning.** [Miranda v Arizona](#)

C. Advising the Suspect of Constitutional Rights (Miranda Rights)

1. Officers are not required to read Constitutional (Miranda) Rights to persons at the time of arrest or those who are not in a custodial setting, except when it is essential to question the suspect to establish probable cause to make the arrest, or as required by law, e.g. Loitering and Prowling.
2. Officers are discouraged from reciting Miranda Rights at the scene of the arrest. Miranda Rights, and the interrogation, should be conducted in a setting more conducive to establishing rapport and gaining cooperation, such as at the police station. Many times it will be more effective for another officer to approach the suspect, provide the Miranda Rights, and attempt to interrogate.
3. The officer making the actual physical custody arrest should not read Miranda Rights to persons:
 - a. Who are arrested for a crime for which a detective, agent or investigator will be conducting the follow up.

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- b. Persons wanted for a major crime by another jurisdiction, unless on-scene interrogation is necessary for the arresting officer to establish probable cause to make the arrest.
4. The Miranda Rights advisement will be given to all persons in custody regardless of race, creed, or familiarity with the law, if they are to be interviewed/interrogated. No additional warnings need be given.
5. After the suspect has his/her rights read, the officer will ask whether the suspect understood them. No questioning will take place until the officer verifies this. The officer will confirm the suspect is willing to waive rights prior to questioning.
 - a. Pursuant to the Florida Rules of Criminal Procedure, the advisement and waiver of rights will be witnessed by two persons.
 - b. Both witnesses will sign the Constitutional Rights Waiver Form in the event a suspect voluntarily waives these rights.
 - c. This does not preclude the witnessing officer from observing the advisement and voluntary waiver from a remote location such as via closed circuit monitor.
6. Should an interpreter be needed, police will provide one and their rights will be read and acknowledged accordingly. When utilizing an interpreter, the questioning should be recorded digitally.
7. If a suspect invokes his right to counsel, all questioning will cease. Unless and until the suspect voluntarily initiates conversation with the officer, indicating a willingness to discuss the crime activity, officers will not approach an arrested person asking if he/she has changed their mind or reconsidered once the right to counsel has been invoked. An arrested person, who has invoked only the right to remain silent, may be approached again and asked to reconsider, however a substantial period of time must have passed, and a re-reading of Miranda will be required prior to questioning.
8. If an officer is in doubt as to whether the Waiver of Rights should be given, then the officer should give them.
9. If a suspect requests an attorney, the officer may choose to offer the suspect the use of phone to contact a lawyer, or cease questioning, complete the booking process and transport to the jail.

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- D. Post Waiver Statements** - Statements that are taken after officers have already questioned the suspect “pre-Miranda” are not valid and will not be admitted in Court. [Missouri v Seibert, 2004 US Lexis 4578 \(2004\)](#)

604.5 Field Interviews and FI Cards

- A.** Officers who stop or detain person(s) for an investigation must have reasonable suspicion to believe the person(s) stopped or detained is involved in criminal activity or about to commit a crime. An officer may “contact” a person(s), and in this situation, the person(s) contacted are not under any obligation to speak or remain in the presence of the officer and should feel free to go.
- B.** Persons “contacted” are not required to provide information on themselves or for the purpose of completing an FI unless the officer can develop additional information for reasonable suspicion at the time of the contact.
- C.** The duration of the stop or detention should be reasonable based on the type of criminal activity and the totality of the circumstances. In most situations, the person(s) stopped or detained should be released after the individual was run thru teletype to confirm there are no outstanding wants or warrants.
- D.** The information obtained during a contact or stop with a citizen will be recorded in a Call for Service in CAD or in a report.

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Subject: Show-ups & Line-ups	Order No: 605	
Rescinds: GO 605 Revised: 03/21/06	CFA 5th: 15.13, 15.14	Revised: 7/11/19
Reference: Davis v. State 760 So.2nd 977 (FL. 3rd DCA 2000) Florida Sheriff's Association, the Florida Department of Law Enforcement, the Florida Police Chief's and the Florida Prosecuting Attorney's Associations		

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605 Policy

The Agency establishes these guidelines for Show-ups and Line-ups in order to further investigate criminal complaints and provide consistent methods for their use. Victim and witness identification of suspects can be very helpful in criminal investigations. The utmost care will be taken to ensure victims or witnesses are not influenced in their examination of possible suspects and thereby taint evidence.

605.1 Definitions

- A. Discerning Level of Confidence** - Any comment made by the witness during the entire process shall be carefully documented, word-for-word, to include any non-verbal communication or action.
- B. Filler Photo** - A photograph of an individual that resembles the suspect that are used to fill in a lineup. A minimum of five fillers will be used with any simultaneous or sequential lineup. Individuals who are suspects in the same case may not be used as fillers. Filler photos should be used in the lead photo position. All photos used in a sequential photo array will be numbered either by the person viewing the line up or the person who is administering the line up (depending on whether an independent administrator or functional equivalent is used).

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- C. Functional Equivalent Procedure** - The investigator is the administrator; the photos will be placed in separate manila folders and shuffled prior to being given to the witness. May also be when a simultaneous line-up is used and given to a member to show a witness/victim who does not know where or who the suspect is in the line-up.
- D. Independent Administrator** - An investigator or other sworn law enforcement personnel who has no knowledge of the suspect's identity.
- E. Lineup** - A lineup is any procedure in which a witness to a crime or other incident is asked to identify a suspect from among a grouping of individuals.
- F. Live Lineup** - Live presentation of individuals, before an eyewitness, for the purpose of identifying or eliminating suspects. Live lineups may present the persons in the lineup simultaneously, or sequentially. Live lineups are sometimes called "physical lineups."
- G. Photo Array** - The group of photographs utilized in a photographic lineup. A photo array may be presented to the witness simultaneously. The process of conducting a photographic lineup is often called the "photo array."
- H. Photo Lineup** - A lineup in which a minimum of six photographs of individuals with similar features in order to eliminate or confirm the identity of the suspect arrested.
- I. Physical Lineup** - A live lineup of individuals often used when a suspect has not been identified but may be in custody.
- J. Sequential Method** - Showing the witness one photo at a time.
- K. Simultaneous Method** - All photos or live subjects presented to the witness at one time.

605.2 Show-up Procedures

- A. Show-up** - A show-up is an identification procedure used when a short period of time has elapsed from the commission of a crime and the stop of a suspect. A show-up entails bringing the victim or witness to view the suspect in order to confirm or not connect the suspect's involvement in the reported crime.
- B. When to use** - Show-up identification can only be used in the following circumstances:
 - 1. The crime has occurred within a short period of time, usually within **two hours**.

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2. The victim or witness is willing to travel with an officer to the scene of a stopped suspect.
3. **The time until confrontation will not exceed two hours. <[Davis v. State](#), 760 So.2nd 977 (FL 3rd DCA 2000)>**
4. The victim or witness had good opportunity to view the suspect at the time of the offense.
5. The victim or witness was able to give a description of the suspect, based on independent recall, prior to viewing the suspect.

C. Precautions - Officers and/or Investigators in contact with victims or witnesses, who may participate in a show-up must avoid any conduct that might directly or indirectly influence the witness' decision and avoid any comments or actions that suggest the witness did or did not identify the suspect when the show-up is completed.

1. Officers will not move the suspect from the original stop location, except for safety considerations, prior to the show-up.
 - a. Due to traffic, lighting, or other safety considerations the stopped person may be moved to another location in close proximity to where the stop was made.
 - b. These considerations will be **documented** in the case report.
2. If there is more than one eyewitness that consents to a show-up identification, each eyewitness will be transported in different vehicles or at different times, never together.

D. Standard Instructions - When a member conducts a show-up, they will instruct the witness:

1. That subject(s) have been detained in a certain location and ask if they are willing to be taken to that location.
2. The person who is detained may or may not be the individual that was involved in the current investigation.
3. They will be placed in an area (or vehicle) which prevents any opportunity for the detained individual to see them.
4. Once they have viewed the individual, they must be positive beyond all doubt that the person they witnessed is the person that is being detained

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prior to giving identification. If they have any doubt, they must be advised that they cannot give identification.

5. Once they have conducted the show-up, the member will advise them that they will be returned to the location they came from in the manner they were brought to the show-up scene.

E. Supervisor Approval - Officers will contact a supervisor for approval before conducting a show-up identification.

F. Documentation - Officers participating in show-up identification whether positive identification is made or not will thoroughly document the activity with the following information in their written reports:

1. The reason for the stop.
 - a. If an officer only has reasonable suspicion for the stop, the stopped person should not be moved unless there are safety considerations.
 - b. If an officer has probable cause and the person is arrested, the stopped person (arrestee) may be moved. Consideration should be given to place the stopped person in such a way or environment that it should not be construed by the eyewitness that the person is in custody or otherwise charged.
2. Date, time, and location of stop.
3. Date, time, and location of reported crime.
4. Date and time of show-up.
5. The instructions in Section D were explained and any spontaneous utterances made by the victim during the show up (ex. "I'm 90% sure that's him").
6. The results of the show-up, stopped persons identification, vehicle identification, and time of release.

605.3 Line-up procedures - The collection of reliable eyewitness identification evidence and the avoidance of erroneous eyewitness identification are essential in assuring that justice is obtained in the criminal justice system. This policy is intended to promote consistency in how the Palm Bay Police Department's members utilize photographic and live line-ups and ensure a reliable and accurate identification process. This policy addresses the creation, composition, administering, and documentation of line-ups. Only those members who are trained in this General Order are authorized to conduct photographic line ups.

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This policy applies to all members. Nothing herein is intended to create new rights of parties or grant a right or privilege not otherwise provided by law. These Guidelines are consistent with the standards applicable to photographic and live lineups for Florida State and Local Law Enforcement Agencies in dealing with Photographic or Live Lineups in Eyewitness Identification as developed and endorsed by the Florida Sheriff's Association, the Florida Department of Law Enforcement, the Florida Police Chief's and the Florida Prosecuting Attorney's Associations on June 15, 2011.

- A. An investigator may use either the sequential (showing the witness one photo at a time) or simultaneous (all photos or live subjects presented to the witness at one time) method. The sequential method of conducting line-ups is preferred method for members of this agency. The use of the simultaneous method is authorized, however, requires the approval of a supervisor of the rank of Lieutenant or above.

- B. The photo line-up will consist of at least six photos, with five filler photos of individuals who are reasonably similar in general appearance and are of the same sex and race, in accordance with the witness's description of the subject. Do not mix color and black and white photos. Use photos of the same size and basic composition. Do not mix booking photos with other photos (such as from DAVID or other sources). Do not include more than one photo of the same suspect or fillers. Cover or crop any portion of a booking photo or other photo that provides identifying information on the subject or others persons included in the line-up. Only the Agency's [photographic line up template](#) located in DMS is authorized.
 - 1. The member preparing the photographic line up **will maintain the biographical information** of each filler photograph in the Palm Bay Police Department Biographical Information Form that is part of the Affidavit for Identification Line up located in DMS. If the filler photographs used come from any other system than that provided in DMS, the member authoring the line-up will document which website was used in the report (DAVID, Caliber, etc.).
 - 2. The biographical information form will be submitted to records to be included with the written report.
 - 3. Members are strongly encouraged to use the links provided on the Affidavit for Identification Form to search for photographs, however, it is not required.

- C. Live line-ups are discouraged and will only be done with the permission of the on-duty watch commander or an Investigations Division Lieutenant after approval from the SAO in advance. Live line-ups will utilize a minimum of six persons, including the suspect, who are reasonably similar in age, height,

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weight, and general appearance and are of the same sex and race, in accordance with the witness's description of the suspect. The person preparing the live line-up will create a consistent appearance between the subject and fillers with respect to any unique or unusual feature (e.g., scars, tattoos, facial hair) used to describe the perpetrator by artificially adding or concealing that feature. If a subject is in custody and the right to counsel has attached, the accused is entitled to have sufficient time to confer with their attorney. Also the suspect's attorney may be present at the presentation of the live line-up.

D. For Multiple Witnesses/Suspects

1. A witness presented with a line-up will be directed not to discuss the identification procedures or results with any other witness.
2. A photographic or live line-up will be presented to only one witness at a time. Care should be taken if witnesses are being presented line-ups at generally the same time and place to keep them separate and ensure they do not discuss the line-up procedure.
3. Suspects will be placed in different positions in each line-up, and not in the first position, except when the "Functional Equivalent Procedure" (explained below) is used in a sequential line-up, due to the photos being shuffled prior to being given to the witness. Each line-up should contain different filler photographs. No photographic line-up will have more than one known suspect at a time (no suspects used as filler photographs).

E. Administering line-ups

1. Whenever possible, an independent administrator should be used to present the line-up. The independent administrator will be an investigator or other sworn law enforcement personnel who has no knowledge of the suspect's identity.
2. The person administering the line-up will scrupulously avoid any conduct that might directly or indirectly influence a witness's decision. The administration of the line-up should be audio and video-recorded whenever possible with the camera's focus being on the administrator to document there was no verbal or non-verbal influencing of the witness's decision. If the line-up cannot be video or audio recorded, the member will notate the reasons in the written report.
3. The administrator will read the standardized instructions found on the Affidavit of Identification form and ensure the witness understands them prior to the photo array or lineup.

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4. The administrator will document written acknowledgement by the witness that they received a copy of the line-up instructions in a written report.
5. The witness will view all photos (or people in the case of a live line-up). In a sequential photo line-up, the witness will be shown all photographs, including the blanks, even if they make identification right away. In the "Functional Equivalent Procedure" where the investigator is the administrator, the photos will be placed in separate manila folders and shuffled prior to being given to the witness. The witness will number the photos in the order viewed.
6. Two photo blanks (sheets of paper the same size as contains the photos used in the line-up that has no photos on them) will be used at the end of a line-up where an independent administrator is used. In the case of the "Functional Equivalent Procedure" the photo blanks will be used and shuffled in with the other photos and numbered by the witness. Otherwise the investigator will number the photos and blanks prior to giving them to the independent administrator.
7. Once the line-up is presented to the witness, the administrator will step away from the witness's immediate vicinity if possible, and not be in the witness's direct line of sight to avoid influencing their decision.
8. The administrator will not provide any comments or actions to the witness such as "Good job" and will not indicate in any way that the witness identified the suspect.
9. The witness must view all the photos in the order presented to them. If the witness requests to see a photo again, and ONLY if the witness requests it, may the witness view all the photos again in the order the line-up was originally presented.
10. At the conclusion of the process, the administrator will inquire of the witness whether or not they observed any actions or heard any language during the course of the investigation, up to and including the administration of the photographic line-up, which prompted them to make a specific selection or to select one photograph over another.

F. Functional Equivalent Procedure

1. If an independent administrator is not practical (due to manning shortages or no one available who does not know the identity of the suspect, for example) then the functional equivalent procedure should be used.
2. Place the suspect and filler photos in manila folders, including two blank photos, for a minimum of eight folders.

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3. Shuffle the folders before giving them to the witness.
4. The witness will number the folders in the order they view them.
5. All other pertinent parts of section 605.2(D) apply with regard to where and how to conduct line-ups.

G. Documentation

1. The line-up presentations should be audio and video recorded whenever possible. If the line up cannot be video or audio recorded, the member conducting the lineup will notate the reason in the written report.
2. Note and document in a written report the witness's exact words (when possible), during the process, including any comments made if the witness makes an identification. Note also any non-verbal communications (e.g., crying upon viewing of a photo or person) of the witness.
3. Have the witness complete the affidavit of identification regardless if identification is made or not.
 - a. The member will have the witness initial on the bottom of the form of the picture they have identified when identification has been made.
 - b. The member will have the witness write the information as to whether identification was made or not on the form and notarize their signature.
 - c. If the witness identifies a filler photograph, the member will notate that in the report.
 - d. If no identification is made, the member will have the witness sign the Affidavit for Identification Form and have them specify that they were unable to make identification.
4. The original photo line-up, regardless if identification is made or not, will be turned into Property and Evidence along with the Biographical Information Form. A copy should be submitted to records along with the case report.
5. The affidavit of identification will be included with the case report.

H. Discerning the level of confidence of an identification

1. Reasonable efforts should be made to document any and all comments made by the witness during the entire process.

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2. Any non-verbal communication or action of the witness must also be noted in the administrator's notes. Indicators of witness's confidence should include but not be limited to:
 - a. The time it takes the witness to make an identification once presented with the photo or live lineup;
 - b. The language used by the witness such as "That's him!" or "There he is!" or other similar words indicating the witness's degree of certainty;
 - c. Language used by the witness such as "I think that's him" or "I'm almost positive" or "I'm 98% sure that's him" or "I just can't be sure" are all words which manifest a witness's level of certainty and should be documented;
 - d. Non-verbal actions should also be documented such as witness's eye contact with the administrator, facial expressions, emotional outbursts or displays, and shaking of the head whether in a positive or negative manner.

I. Training

1. Any officer or investigator conducting a line-up must have read and understand this GO and received training prior to conducting a line-up. No member is authorized to conduct or compile a photographic line up without having had the initial training provided by the Agency.
 - a. Initial training may be conducted in a live training session provided by the Police Department which will follow the Lesson Plan on File or administered through DMS.
 - b. All members receiving the training will acknowledge receipt of the initial training by either completing a training roster or their electronic signature in DMS.
2. All members conducting photographic line-ups are required to attend or view refresher training as provided through DMS periodically or when changes occur with the State Law.

J. Filing

1. A copy of this GO is to be filed with the state attorney's office for the Eighteenth Judicial Circuit, and a new copy will be filed whenever there is a revision to the GO.

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2. The Photographic Line-Up Template and associated forms have also filed with the SAO.

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Subject: Confidential Investigative & Evidence Funds		Order No: 606
Rescinds: GO 606 Revised: 05/19/16	CFA 5th: 5.05	Revised: 05/31/17
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606 Policy

The Agency uses Confidential Investigative and Evidence funds, (CI&E funds) in order to pursue investigative leads in criminal cases. Due to the nature of investigations that require these funds, the Agency places a high priority in the responsibility and accountability for these funds as provided in the procedures of this directive.

606.1 Authority - Special Investigations Unit members, Investigations Division members, Internal Affairs Unit, and any other members approved by the Chief of Police, or designee, are authorized to have and use CI&E funds in the performance of their official duties.

A. System - The accounting system for CI & E funds includes the following components. The system is a ledger system which records cash flow into and out of the account. It is designed to require stringent accountability for the funds.

1. Authorization of one person who is responsible for the system.
2. Submission of requests for funds prior to payment.

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3. Submission of receipts after payment that includes the following information:
 - a. The amount of payment.
 - b. The member's name.
 - c. Informant's name or identifier, if any.
 - d. Information or material purchased.
 - e. The purpose of the payment.
 - f. The date of the payment.
 - g. The case number associated with the payment.
4. The system requires approval by the Chief of Police for purchases in excess of \$2500.
5. A quarterly audit is required by the Special Operations Division (SOD) Commander or designee, and a report of expenditures provided to the Police Programs Specialist.
6. The system provides for the criteria for the use of the funds.

606.2 Responsibilities

- A. Police Programs Specialist** - The Chief of Police designates the Police Programs Specialist with the responsibility for the system, budgeting CI&E funds, and authorizing the requisition of funds from the Agency's budgeted account. The Chief of Police, or designees, may audit confidential funds, ledgers and receipts at any time.
- B. Special Operations Division (SOD) Commander or Designee** - The SOD Commander or designee is responsible for administration and control of the CI&E funds program for the Agency. All requests for CI&E funds, disbursements and records management of the program will be directed through the SOD Commander or designee for his/her approval. The SOD Commander or designee is responsible for the inspection and quarterly reports on CI&E funds issued and expended by sworn personnel authorized to utilize CI&E funds. The SOD Commander or designee may conduct unannounced audits of CI&E funds, ledgers and receipts at his/her discretion.

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- C. Supervisor** - The supervisor of the officer utilizing CI&E funds will conduct a monthly inspection of each officer currently issued funds; ensuring compliance with all aspects of this policy by the assigned subordinates. The supervisor may issue funds to individual officers and has the authority to transfer or manage the funds within his or her unit. The supervisor will review, approve and forward the individual officer monthly ledgers to the SOD Commander or designee office by the **10th** of the following month.
- D. Issued Officer** - All officers authorized and issued CI&E funds will be responsible for the accountability of the funds and adherence to this directive. Officers will not commingle CI&E funds with their personnel funds and should carry the CI&E funds in a separate wallet or bag for SIU officers, preferably with their fictitious driver's license.

606.3 Procedures

- A. Disbursement Authority** - The amount of CI&E funds available is based on the budgeted allotment. The budgeted amount permitted to be in cash and in control of the SOD Commander or designee is authorized by the Finance Department and Chief of Police. The SOD Commander or designee must provide expenditure reports and check requisitions thru the Police Programs Specialist, or designee, to the Finance Department in order to receive CI&E funds. Reimbursements for expenditures will be in compliance with the guidelines provided in this directive. The SOD Commander or designee will submit a request for funds prior to payment.
- B. Reimbursement** - Agency officers will be reimbursed for all authorized expenditures incurred during the course of their official duties providing the expenses incurred are just and proper and the officer adheres to these requirements. Expenditures incurred outside these requirements may result in non-reimbursement. The use of official funds for unauthorized personal or unofficial purposes may result in disciplinary action.
- C. Documentation** - The use of official funds creates operational, supervisory and administrative situations with a potential for adverse consequences. Experience has demonstrated that careful and precise documentation of expense funds diminishes these problems. Properly managed funds and accurate documentation of these funds can provide an accurate forecast of projected needs.
- D. Control** - The SOD Commander or designee will maintain control of the CI&E funds and the documentation of expenditures and reimbursement. The SOD Commander or designee may impose additional requirements when appropriate.

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1. The SOD Commander or designee will secure CI&E funds in a designated safe in the Special Operations Division. Only the SOD Commander or designee will have combination lock access to the safe. SIU will maintain a safe to securely store funds not held in the possession of individual agents or investigators. The SIU Supervisor, alternate supervisor and the SOD Commander or Chief's designee will be the only personnel with access to the safe.
 2. When there is a transfer of command over the Special Operations Division or Special Investigations Unit, the incoming commander and the outgoing commander will conduct a joint audit of CI &E funds in the safe and the Master Ledger. The combination to the safe will be changed at this time also. The outgoing Commander will complete an Agency Confidential Funds Expenditure Receipt reflecting the total amount of the funds transferred and the incoming Commander will sign the receipt and assume control of the funds. The transfer will be recorded on the Master Ledger.
 3. A copy of the transfer audit and Master Ledger will be forwarded thru the Police Programs Specialist within two business days.
- E. Criteria for Use of Funds** - Authorized expenditures are directly related to and vital to the continuing development of an investigation and/or established informants and/or sources.
- F. Allotment** - The total allotted funds that will be distributed between personnel and the safes will not exceed \$10,000.00 unless authorized by the Chief of Police. Each supervisor is authorized to maintain \$500 on hand. Agents and authorized officers may each be issued \$300 in confidential funds. No issued funds will be co-mingled with the receiver's personal cash. The allotment may sometimes be more, or less, based on needs, available funds and expenditures. The allotment will not be exceeded unless authorized by the SOD Commander or Chief's designee.
- G. Receipts** - An Agency [Confidential Expenditure Receipt](#) will be completed by the SOD Commander or designee and/or the receiving officer when funds are dispensed. The officer or receiving party will sign and date the receipt when the money is received. The issuing Commander or officer will also sign and date the receipt. A copy of the receipt will be given to the receiving party, a copy placed in the informant's file or a receipt for expenditure, if applicable, and a copy to the officer's ledger.

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1. Each officer will maintain a complete ledger of confidential funds issued or expended and turned in to the unit supervisor by the 5th of the following month. [CI Funds Ledger](#)
2. Each officer's confidential funds log will be audited. Unannounced audits may occur at the discretion of the SOD Commander or designee, or supervisor.
3. Expenditures must be verified with receipts. Expenditures for pay phone calls and necessary purchases made while working in an undercover investigative capacity are excluded but must be documented on the officer's ledger with appropriate Criminal Activity or Case Number if applicable.
4. Each agent, detective or officer will sign and attest to the accuracy of the monthly ledger.
5. Submission of receipts after payment that includes the following information:
 - a. The amount of payment.
 - b. The member's name.
 - c. Informant's name or identifier, if any.
 - d. Information or material purchased.
 - e. The purpose of the payment.
 - f. The date of the payment.
 - g. The case number associated with the payment.

H. Transfer of Confidential Funds

1. Supervisor to Agent

- a. The SIU Sergeant and/or SOD Lieutenant will issue funds to Agents within the Special Investigations Unit. Funds dispersed to agents from the SIU supervisor safe will come from the SIU main safe in which the Lieutenant will replenish as needed.

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- b. The funds will be issued from the SIU supervisor safe or in the absence of the SIU supervisor the funds will be issued from the SIU main safe from the SOD Lieutenant.
- c. When funds are issued from the SIU supervisor safe or the SIU main safe, a confidential expenditure receipt will be completed. The issuer and agent will both sign the administrative side of the confidential expenditure receipt.
- d. Both the issuer and agent will document the transaction in their monthly confidential fund ledger and both the issuer and agent will attach the confidential expenditure receipt to the monthly confidential fund ledger.

2. Agent to Agent

- a. Any agent may transfer funds from one agent to another as needed for an investigation with supervisor approval.
- b. The agent transferring the funds will complete the administrative side of the confidential expenditure receipt. Both agents will sign the receipt and document the transfer of funds on the monthly confidential fund's ledger.
- c. Both agents will attach a copy of the expenditure receipt to the monthly confidential fund's ledger to be turned in monthly.

606.4 Expenditures

A. Walking Funds - CI&E funds may be allowed to "walk" in an undercover investigation where controlled substances or contraband is purchased from a subject for the purposes of continuing the investigation or protecting the identity of the informant. If the funds are "walked," every effort will be made by the investigating officer to determine the identity of the subject for criminal prosecution later. When the subject is convicted and sentenced on the criminal charges, the investigating officer will request that the State Attorney's Office seek restitution to the Agency for expenses incurred (drug or contraband buys, confidential informants' expense payments, etc.) that are related to the investigation. The following amounts are authorized when CI&E funds are "walked" in a criminal investigation.

- 1. Up to \$100 on a single controlled substance or contraband purchase from a single suspect.

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2. Controlled substance or contraband purchase over \$100 not to exceed \$1000 must be authorized by the supervisor.
- B.** A supervisor's decision on whether or not to "walk" the \$1000 on the buy should be based on one or more of the following criteria:
1. The identity of the suspect must be known.
 2. The "walking" of the \$1000 will continue the investigation to the point of identifying additional co-conspirators.
 3. The subject is capable of selling or possessing large quantities (trafficking amounts) of a controlled substance or other contraband and "walking" the \$1000 will lead the subject into a trafficking case.
 4. The subject is dealing in stolen property or contraband and more property or contraband could be purchased.
 5. The subject or co-conspirators are dealing or trafficking in controlled substances within the city limits of Palm Bay.
- C.** No CI&E funds in excess of \$1000 will be "walked" on any investigation without written authorization from the SOD Commander or designee. In addition, the \$1000 limit will be the total limit on all single buys on the same subject. The supervisor will confer with the SOD Commander or designee on the merits of the case before confidential funds are allowed to "walk" beyond the \$1000 limit. The SOD Commander or designee may authorize up to \$2500 total money "walked" in a single investigation. "Walk" money in excess of \$2500 must be reviewed and approved with the signature of the Chief of Police.
- D. Flash rolls** - Only the SOD Commander or designee can authorize "flash rolls" in excess of \$1000 on an undercover investigation. The investigating officer will be issued the confidential funds for the flash roll from the SOD Commander or designee and return the issued amount as soon the flash roll is no longer needed in the investigation. Flash rolls, that exceed \$1000, *or more*, must be prior authorized by the SOD Commander or designee. A minimum of five Officers will be used for the operations.
- E.** If CI&E funds are "lost" and cannot be returned to the Agency or the subject whom the drugs or contraband was purchased from cannot be located, the officer must report the incident to their supervisor and SOD Commander or designee. The investigating officer must write a report on the circumstances of the "loss" and forward the same to his/ her supervisor within 24 hours of

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the loss. The supervisor will investigate the circumstances within five days of the loss. The supervisor, (based upon reports, submitted, interviews, and/or whatever else may be necessary), will determine the following:

1. Whether the officer was acting within the scope of employment.
 2. Whether the officer's actions surrounding the loss were in accordance with established policies, procedures and/or supervisory instructions.
 3. Whether the loss was attributable to fault or negligence by the officer.
- F.** The supervisor's investigation and recommendations will be forwarded to the SOD Commander or designee within seven days from the date the loss is reported. The SOD Commander or designee will confer with the Chief of Police on the appropriate course of action towards the officer.
- G.** If disciplinary action is appropriate, it will be handled in accordance with Department and City Policies and the Collective Bargaining Unit contract.

606.5 Informants

A. General - CI's who are issued CI&E funds for any purpose must be properly documented and filed as a CI. A CI's confidential fund ledger and receipts will be maintained in the CI's file. The supervisor will conduct periodic audits of the CI files. All payments for expenses or services by a confidential informant will be recorded on the confidential funds expenditure receipt. The nature of the expense will be documented and contain the informants **ID number**. The informant will sign the receipt with their fictitious name. When the funds are disbursed, the issuing officer will sign the receipt with another officer present. The witnessing officer will also sign the receipt. A copy of the receipt will be placed in the informant's file and another copy attached to the officer's confidential fund ledger. CI&E funds issued to CI's will be categorized as follows:

1. **Controlled undercover drug/contraband purchases** - The CI will issue only the funds necessary to purchase a pre-determined amount of the drugs or contraband in a controlled undercover purchase. The investigating officer will record the denominations and serial numbers of the bills. If the controlled drug purchase is not consummated, the full amount of issued funds will be returned from the CI to the issuing officer before the CI is released. Uniform Services Division officers authorized thru their chain of command to conduct underage alcohol sales investigations will obtain the CI &E funds from the SOD Commander or

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designee. The SOD Commander or designee will instruct the uniform officer on the applicable documentation procedures of this directive.

2. **Reimbursement for CI's expenses** - Confidential funds issued to the CI for this reason should be closely scrutinized. "Expenses" incurred by the CI may include gas, phone calls, reasonable bar tabs, etc., but will not exceed \$20 for each case investigation unless authorized by the SOD Commander or designee.
3. **Payment for the CI's services** - Confidential funds paid to the CI for assistance rendered to the SIU/CIU or other authorized unit/officer on any investigation will not exceed \$100. The SOD Commander or designee must authorize any assistance by the CI that would warrant over a \$250 payment. CI's who are providing substantial assistance will not be paid for their services, (except reasonable expenses). The SOD Commander or designee will be notified in writing when a CI's has been, or is expected to be paid, more than \$1,000 in a twelve-month period. The SOD Commander or designee will forward a memo to the Chief of Police detailing the necessity for the payment.
4. Percentage payment on reverse sting seizures. Any CI who is instrumental in developing a reverse sting (reverse sale) of drugs where a large sum of money is seized, may receive payment with authorization from the Chief of Police on the exact amount to be paid.
5. Payment may be made for relocation of the confidential informant for temporary living expenses, travel and other expenses incurred by a CI, which are necessitated by real or potential threats made or anticipated towards the CI. Prior approval for payment will be obtained from the SOD Commander or designee and will not exceed \$1000.

606.6 Other Uses

- A. Equipment, food, beverages, rehab, or miscellaneous supply purchases for officer comfort will not be authorized from confidential funds unless pre-approved by the SOD Commander or designee who will determine whether or not the expenditure is necessary for the immediate needs on an ongoing investigation or operation. In all cases, the expenditure will not exceed \$100 unless authorized by the supervisor or SOD Commander or designee, or Chief of Police.
- B. The Chief of Police may authorize the expenditure of confidential investigative funds for maintaining the confidentiality of operations (e.g., payment of confidential phone bills).

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606.7 Accounting

- A. Officers** - Officers who are issued CI & E funds must reconcile their ledger and submit to their supervisors at the end of each month. All receipts will be turned into the supervisor with their ledger by the **5th** of the following month.
- B. Supervisors** - Supervisors will inspect officer's ledgers, receipts, and remaining funds by the **7th** of the following month.
 - 1. Supervisors will submit ledgers, receipts, and synopsis of confidential fund accounting to the SOD Commander or designee by the **10th** of the following month.
 - 2. The supervisor will note any discrepancy in ledger, receipts, or funds in their monthly report to the SOD Commander or designee.
 - 3. Supervisors who are issued or carry CI& E funds will reconcile their ledger and submit to the SOD Commander or designee by the **10th** of the following month. All receipts will be turned in with their ledger.
- C. Special Operations Division Commander or Designee** - The SOD Commander or designee is responsible for the disbursement and overall accountability of confidential investigative funds. The SOD Commander or designee will provide quarterly internal audit reports to the Police Programs Specialist for review. Quarterly audits by the SOD Commander or designee will include personnel assigned C-funds outside of the purview of the Special Operations Division.

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Subject: Confidential Informants		Order No: 607
Rescinds: GO 607 Revised: 05/05/17	CFA 5th: 15.03	Revised: 02/07/2019
Reference: CI Packet, Controlled Buy Form, GO 606		
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607 Policy

Many investigations would be extremely difficult if not impossible to conduct without the use of informants. While essential to narcotics, vice, property crimes and other types of investigations, informants pose a variety of risks to the Agency and must be controlled. The operational decisions and actions regarding the use of confidential informants must keep the safety of all involved persons a first priority, and agency personnel should exercise the utmost care and judgment in order to minimize the risk of harm to the confidential informant, agency personnel, target offender(s), and the public. This General Order will establish the system by which all informant sources will be documented, monitored and properly managed.

607.1 Authority - Only sworn members of the Criminal Investigations Division (CID) and Special Operations Division (SOD) are authorized to use documented confidential informants. Exceptions may be authorized for Uniform Services Division Officers, Community Resource Unit Officers, etc., through their chain of command and with the express written approval of the Special Operations Division Commander or designee. All officers authorized to utilize or recruit confidential informants will be trained in the requirements of this directive and will adhere to its procedures.

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Failure to do so may result in the rescinding of the officer(s) authority to use confidential informants and possible disciplinary action. The Agency will keep documentation demonstrating the date of all such training.

607.2 Definitions -

A. Confidential Informant (CI) - Any person who, by reason of his or her familiarity or close association with suspected or actual criminals or:

1. Who can make a controlled buy or controlled sale of contraband, controlled substances, or other items material to a criminal investigation; **or**
2. Can or does supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; **or**
3. Can otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts;
4. And who is, through such efforts, seeking to improve his or her status in the criminal justice system.
5. A person's improved status in the criminal justice system may include, but is not limited to:
 - a. Avoiding an arrest.
 - b. A reduction or modification of a sentence imposed or to be recommended to be imposed upon him or her.
 - c. A reduction or modification of charges pending or anticipated to be placed against him or her and whose association or cooperation with law enforcement must remain unknown to those about whom the information is provided or with whom one or more transactions occur.

B. Non-documented source informants - These may be persons who wish to remain anonymous, or those who give their identity but choose not to become documented, or those who may not meet the requirements for documentation.

C. Documented informants - These are persons who the cultivating/controlling officer has interviewed, who have completed the required forms and agreements, and have been approved by the controlling officer's supervisor.

1. **Testifying informants** - Documented informants who have been approved by the State Attorney's Office to testify, if required.

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2. **Non-testifying informants** - Documented informants who have not been approved to testify by the State Attorney's Office. Information or participation by these informants may be used, upon officer corroboration, to build probable cause to further an investigation or obtain a search warrant.

607.3 Informant Recruitment - All sworn officers will direct positive efforts toward recruiting informants. When attempting to cultivate an informant, the officer should consider and investigate facts concerning the potential informant's background.

A. General - Factors to be considered in assessing the suitability of a confidential informant prior to the informant's utilization will include, but are not limited to:

1. The informant's age and maturity.
2. The risk the informant poses to adversely affect a present or potential investigation or prosecution.
3. The effect upon agency efforts that the informant's cooperation becoming known in the community may have.
4. Whether the person is a substance abuser, has a history of substance abuse, or is known by the lead investigator or officer to be involved in a court-supervised drug treatment program or drug-related pretrial intervention program.
5. The risk of physical harm that may occur to the person, his or her immediate family, or close associates as a result of providing information or assistance, or upon the person's assistance becoming known in the community.
6. Whether the person has shown any indication of emotional instability, unreliability, or of furnishing false information.
7. The person's criminal history and/or prior criminal record.
8. Whether the nature of the matter being investigated is such that the use of the informant is important to, or vital to, the success of the investigation.

B. Procedures

1. Determine the presence or absence of a criminal record via NCIC/FCIC.
2. Determine a motive for the CI's interest in becoming an informant.

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3. Determine if the CI has ever served as a confidential informant for any law enforcement agency in the past.
4. Determine the probation/parole status of the CI. If under judicial control, permission must be obtained from the appropriate judge, through the State Attorney's Office. Written approval is required, however, if time will not permit, telephone authorization may be used provided written authorization is obtained as soon as practical.
5. Officers will not utilize an informant known to be a wanted person, except warrant arrests, generated from the Agency, for non-violent and "victimless" crimes, may be held to work as an active or productive informant.
6. Officers will not utilize an informant known to be under indictment or out on bond for felony violations without specific authorization from the State Attorney's Office and their Division Commander.
7. Determine if the CI has a demonstrated reputation for perjury, bribery or related offenses.
8. Determine if the CI has a history of mental illness, emotional instability or alcohol/controlled substance abuse.
9. Attempt to determine if the CI has been determined to be unusable by other agencies.
10. Officers will not use juvenile informants except when **ALL** of the following approval is obtained prior to use:
 - a. Written parental approval.
 - b. Written State Attorney approval.
 - c. The Special Operations Unit Commander or designee's approval.
11. Special Operations Division (SOD) officers, or any Agency member, are prohibited from compromising the SOD office location, if not at the police station, to any informant.
12. Persons classified as sexual predators or offenders will not be used as CI without written permission of the Chief of Police.
13. Any person who is requested to act as a confidential informant will, upon request, be afforded the opportunity to consult with legal counsel prior to agreeing to perform any activities as a confidential informant.

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14. Before utilizing a confidential informant who is facing criminal charges, officers will clearly indicate to the informant that the agency cannot make promises or inducements such as a grant of immunity, dropped or reduced charges, or reduced sentences or being placed on probation, and that the value (if any) of the confidential informant's assistance and any effect that assistance may have on pending criminal matters can only be determined by the appropriate legal authority.

C. Procedures Based on Different Law Enforcement Encounters - There are four options in dealing with a law enforcement contact which results in a suggestion or possibility that the person with whom law enforcement has contact may become a confidential informant:

1. If an officer makes an arrest and decides to use the person arrested as an informant before first appearance, the officer must contact either the intake attorney assigned to your agency or the on call attorney if after normal business hours to advise them of the complete facts and circumstances and what is requested. The attorney can work with the prosecutor at first appearance as to the bond and conditions of release.
2. If the officer has PC for a misdemeanor notice to appear, the officer should provide that to the defendant. However, the 923, while it may be vague, must contain PC for the charges and must be accurate and include all the facts, including uncharged crimes. The property receipt must, as always, accurately include all evidence seized and be sent as part of the complete package.
 - a. The State Attorney's Office must receive the complete case package within 30 days.
 - b. All supplements should be completed at the time of the incident.
3. If no arrest is made and no actions taken by the officer(s) that could be deemed an arrest, the informant can work with the agency pursuant to their agreement. If the defendant does not successfully complete or substantially complete his/her obligations under any agreement, the officer should submit the case as a capias request.
4. If you make an arrest, you must complete the process. The State Attorney's Office will carefully look at the facts, as will the court, to determine if there is an arrest. The officer should contact the intake attorney assigned to your agency to discuss the case.

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In each of the scenarios listed herein, the following guidelines shall apply:

- a. Notify the intake attorney assigned to your agency within 24 hours by email and ask for a reasonable delay in the filing decision in order that the defendant has an opportunity to do what is agreed upon (or substantially do so). The following deadlines apply for a determination as to the progress and need to make a filing decision:
 - Potential felony cases - 45 days
 - Potential misdemeanor cases - 30 days
- b. The officer is to notify the intake attorney assigned to your agency by email by the filing deadline whether the officer is requesting charges be filed as submitted, upgraded, reduced, or no filed. If not notified, the intake attorney will file charges if appropriate.
- c. Because of time constraints, charges may need to be filed before the informant has completed the investigation(s). If this happens, the officer is to communicate with the trial attorney as to the appropriate disposition of the case.
- d. At no time will any ASA discuss the case with the Defendant without the presence of his/her attorney due to their ethical requirements.
- e. The defendant cannot be given legal advice by law enforcement officers and should never be instructed by officers to contact any ASA to discuss the case.
- f. It is within the discretion of the Office of the State Attorney as to what consideration, if any, should be given for the defendant's efforts.
- g. The potential informant is NOT eligible, without prior approval of the chief trial attorney, for any benefit under this policy if he/she is:
 - Already out on bond on a pending case.
 - Released on a pending case by other means (ROR, PTR, etc.)
 - Currently on parole, probation, or community control

607.4 Documenting Informants

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- A.** All informants, when used described in Section 607.2B will be documented as confidential informants prior to performing the activity and/or providing the information.
1. The only exception to this policy is upon approval of the Special Operations Division Commander or designee. The informant will sign the receipt with their fictitious name on the Investigative Fund receipt. The receipt will indicate the informant's assigned identification number. If the true identity of the informant is unknown, a supervising authority will witness and sign the payment receipt.
 2. The officer wishing to document an informant will complete the Agency Confidential Informant Documentation packet (CI packet) in its entirety. Essential information in every CI packet will include biographical and background information, criminal history check and record, if any. This packet serves as an individual assessment for each prospective confidential informant.
 3. The CI will have all releases and agreements in the packet fully explained in the presence of another law enforcement officer or officer of the court and will sign his/her true name. Both law enforcement officials will witness the signatures.
 4. If this Agency requires any information from another agency, or if another agency contacts this Agency regarding information about a CI, the following is required:
 - a. Inquiries must be made on official agency stationary.
 - b. Replies should be on official agency stationary.
 - c. Information may be exchanged over the telephone when the party spoken to is personally known to represent a law enforcement agency.
 5. The officer will then present the completed packet to the SIU/CIU or authorized Supervisor for review and approval. All CI activity sheets, Confidential Funds documentation, updated information on a CI and related documentation will be timely submitted to the respective supervisor.
 6. Photos will be taken annually, or upon re-contact, to update the CI packet.

607.5 Confidential Informant Files Management

A. SOD Commander or Designee Responsibility for Files Management

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1. Under the authority of the respective Special Operations Division Commander or designee, the Special Operations Division Lieutenant or designee is responsible for the management, accountability, security, retention and purging of all new CI packets, active and inactive CI files and related documentation submitted by SIU, CIU or other sworn supervisors authorized to utilize informants.
2. A CI number will be assigned to each informant.
3. Access to the CI Files is limited to the authorized supervisors and the Special Operations Division Commander or designee. All files will be kept in a secure location in a designated area by the Special Operations Division Lieutenant(s) or designee(s). A master file of all confidential informants used by the Agency will be maintained.
4. Dissemination to others and/or review of a CI's file will be done in the presence of one of the authorized personnel in section A4 above. A dissemination/review record will be maintained. Section 607.4A (4) provides procedures on requests from other agencies for informant information.
5. Contacts, payments, or other information relating to an active CI will be forwarded to the SIU supervisor immediately for inclusion in the informant's original file.

607.6 Controlling Informants

- A. Credibility and Integrity** - Officers using informants will take adequate precautions to protect the credibility and integrity of the Agency. Each time a CI is contacted, the meeting will be documented on a confidential informant contact sheet.
- B. Compliance to Procedures** - The officer using an informant will be accountable for ensuring that all procedures are adhered to and will maintain knowledge and control of activities involving an informant.
- C. Personal Involvement Prohibited** - Officers will avoid socializing, becoming overly friendly with, or identified with a CI and will maintain the relationship on a strictly business basis. Officers will refrain from mentioning information about off-duty activity or family members around informants. Non-business associations will be discouraged. The supervisor will be aware of such meetings prior to any associations. Attempts to assist informants with personal problems (substance abuse/addictions treatment, mental illness issues, relationship problems) will be done in an official capacity and while on-duty.

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- D. No Private Meetings** - Officers will not meet alone or in private with a confidential informant. Such meetings must be in the presence or observation of another law enforcement official.
- E. Unplanned Contact** - In the event there is insufficient time to notify the supervisor in advance or when unplanned contact with a CI takes place, the officer's supervisor will be notified as soon as possible after the contact.
- F. Criminal Activity Reported** - The Agency will grant no tolerance toward criminal activity in exchange for a continuing relationship with an informant. If an officer gains knowledge of such activity, an immediate report will be made to the chain of command and to the law enforcement agency having jurisdiction in the alleged offense. If the offense committed involves physical injury to a victim or serious felony there will be no further work performed by the CI until the severity of the offense has been evaluated with involvement of the State Attorney's Office and approved by the Special Operations Division Commander or designee.
- G. Restrict Knowledge** - Officers are required to restrict the knowledge a CI gains of procedures and surveillance equipment as well as to any tactics. CI's will be restricted from gaining access to files, records, reports, memoranda, etc. CI's will also be limited in contact with other officers and other Agency employees. To address these concerns, officers are encouraged to meet with informants away from police facilities. When this is not possible, CI's will not be allowed unescorted access to the police building and/or grounds.
- H. Department Vehicle Use** - CI's will not operate any motor vehicle owned, leased or in the custody of the Agency without approval of the officer's supervisor. Any informant allowed to drive must hold a valid driver's license and obey traffic laws.
- I. Restrict Introductions** - CI's will not be introduced to other officers. Care will be taken to ensure that they are given only as much information as deemed necessary. Investigations' personnel will consider that many informants will often become subject of a future criminal investigation.

607.7 Informant Buys

- A. Purchases of contraband by an informant will be fully corroborated.** Every informant buy will require a minimum of two officers for surveillance purposes. Each buy will be controlled in the following manner and a controlled buy form completed. [<Controlled Buy Form>](#)
 - 1.** The informant must be willing to consent to a thorough search preceding the buy for any contraband or funds. This search will be conducted by a

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police officer of the same gender and only in the presence of persons of the same gender. If the informant's vehicle or residence is utilized in the investigation, a thorough search will also be conducted of those areas to which the informant has access. [<Warning of Rights Form>](#)

2. Whenever possible, the informant will be fitted with a transmitting or recording device that will allow surveillance officers to corroborate and record any conversations between the informant and the suspect(s). The SIU supervisor must previously approve exceptions to this.
3. The informant will be given confidential investigative funds, which have been recorded by serial number for the purchase of contraband. To avoid errors, all personal funds should be taken from the informant prior to contact with the suspect. The personal funds will be returned to the informant as soon as practical after the purchase. Informants operating under the direct supervision of police will not use their personal funds to make a control buy of any contraband.
4. Constant surveillance will be conducted on the informant after the search until he/she meets with surveillance officers following the buy or other contact.
5. The informant will be thoroughly searched as in A1. All confidential investigative funds will be retrieved from the informant. When possible, the entire process should be accomplished by the same officer with the same witness.
6. The informant will be thoroughly debriefed and a sworn audio taped or written statement signed by the informant will be obtained. If a written report is not practical at that time, a taped statement will suffice.
7. If confidential investigative funds have been expended by the informant to purchase evidence or contraband, a confidential investigative funds expenditure receipt will be completed by the controlling officer and signed by a witnessing officer. One copy of the receipt will be placed in the informant's file.

607.8 Protecting Informant Identity

- A. General Procedures** - General procedures, an informant should not meet or see officers or informants other than his/her controlling officer and that officer's partner/witness and:

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1. Informants will not be given officers' home addresses or telephone numbers for routine contact as the possession of such information may compromise the informant.
2. A business number and pager where the controlling officer can be reached will be given to all informants.
3. Informants will not report to the SIU office. Contact should be arranged in inconspicuous, private locations that will not attract unnecessary attention.
4. Each informant must be told that any deviation from the operating officer's instructions may result in the cancellation of any deals, promises or contracts.

607.9 Monetary Compensation to Informants

A. Required Procedures - No money will be paid to an informant unless the following conditions are satisfied and the General Order regulating Confidential Investigative and Evidence Funds [<GO 606>](#) is followed:

1. A receipt for it is signed in the informant's fictitious name recorded with the CI's assigned number.
2. The officer making the payment is accompanied by another officer witness.
3. Prior approval has been obtained by the Unit Supervisor(s) on payments over \$100. The Special Operations Division Commander or designee's approval is required for payments more than \$250, or where an informant is being paid a cumulative total of more than \$1000 in a 12-month period. The Special Operations Division Commander or designee will submit a memorandum to the Chief of Police detailing the necessity to pay such funds to the CI.

B. Payments and Documentation - The receipt form will be the "Confidential Expenditure Receipt." The Unit Supervisor(s) will record all monies paid to an informant on a payment log in the informant's file. Monies will not be paid to any informant prior to the completion of his/her services unless other arrangements were made at the start of the investigation with the supervisor's approval. Officers are discouraged from promising an informant a fixed sum of money. Payments will be authorized as directed in the Confidential Investigative and Evidence Funds (CI&E Funds) [<GO 606>](#). Informants will be paid in amounts appropriate to the following criteria:

1. The nature and complexity of the case.

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2. The impact of the investigations/arrest on the community.
3. The past reliability and work record of the informant.
4. The informant's willingness to testify in court.
5. Actual value of informant's service in the case.

C. Payment Approval - The supervisor will confer with the Special Operations Division Commander or designee on matters concerning the purchase of illicit drugs, payment for illicit drug-related information and other criminal activity as directed in the CI&E Funds General Order. [<GO 606>](#)

607.10 Informant Performance Review and Termination

A. Evaluation - At some time, informants may become a liability to the Agency or in some regard, no longer serve a useful purpose. The following are procedures for periodic review of performance and termination:

1. A review of payments will be conducted semi-annually by the Unit Supervisor(s) and audited if a CI has been paid in excess of \$750 in a three month period.
2. If a CI has been paid in excess of \$1,000 during the preceding 12 months, or if there have been problems noted concerning the CI.

B. Termination of Informants

1. The following circumstances concerning an informant will be brought to the attention of the supervisor immediately upon their occurrence and followed by written documentation. Such occurrences will be considered in any decision to terminate the use of an informant.
 - a. Repeated failures to keep appointments return telephone calls or follow through on legitimate requirements affecting the outcome of an investigation. The number, nature and any decision of each infraction will be considered.
 - b. Violation of the Informant's Code of Conduct or any portion thereof. [<CI Code of Conduct>](#)
 - c. The discovery of misrepresentation of fact by the informant.
 - d. Failure to follow instructions of case officers.

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- e. Any incident, circumstance or information that causes concern or alarm, particularly any act or omission by the informant that would seriously jeopardize the safety and security of himself, the case investigators, the public or the person(s) targeted. Examples are:
 - Any discovery of information on past criminal conduct not revealed by the CI previously.
 - Any indication of violent behavior, or tendencies, particularly sexual battery or similar conduct/crime.
 - f. Any CI classified as a sexual offender or predator must be prior approved by the Chief of Police before use or continued use.
 - g. When the behavior of an informant brings his/her credibility into doubt, the Special Operations Division Commander or his designee may elect to sever their relationship with prejudice.
2. If the supervisor approves the controlling officer's recommendation of termination, the informant will be terminated and the memo will be maintained in the informant's file.
 3. Terminated informants may only be reinstated for use with written authorization of the Special Operations Division Commander or designee and the Chief of Police.

C. Archiving of Files

1. The SOD Commander, or designee, will conduct an annual administrative review of agency practices to ensure conformity with agency policies, procedures, and Florida Statute.
2. Any files determined to be closed either favorably or unfavorably for a period of three years will be removed from the file.
3. All files will be disposed of in accordance with this policy and the City confidential records retention procedure.
4. All files retained as active will be checked for accuracy in terms of address, phone number, etc. A new criminal history and driver's license check will also be completed.
5. All CI's are considered "active" for three years after their last documented contact. Subsequently, the files may be purged if there is no contact.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Surveillance/Decoy/Undercover Operations	Order No: 608	
Rescinds: GO 608 Revised: 12/15/15	CFA 5th: 15.11	Revised: 08/02/16
Reference: OM A603		

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Section	Description
608	<u>Policy</u>
608.1	<u>Definition</u>
608.2	<u>Procedure</u>
608.3	<u>Decoy Operations</u>

608 Policy

When the Agency conducts surveillance operations, undercover operations, raids or decoy operations, officers who conduct such operations will plan and use guidelines provided in this directive. All operations of this type will be conducted pursuant to law and will not infringe on the Constitutional Rights of any person and must be approved by a Sergeant or higher rank.

608.1 Definition - Surveillance can be defined as the secretive, continuous or sometimes periodic watching of persons, vehicles and places or objects to obtain information concerning the activities and identities of individuals. Surveillance is an important tool and is often the only investigative technique available to identify clandestine sources, couriers and recipients of narcotics, stolen goods or contraband, locations of vice activity and the co-defendants and co-conspirators in criminal activities. Surveillances, which can be continuous or intermittent are of three main types: moving surveillance where the agent follows the subject on foot or in a vehicle; stationary surveillance where the continuous watching of a place, object or person occurs from a fixed point; and, electronic surveillance where electronic, mechanical or other devices are used to intercept the contents of any wire or oral communication.

608.2 Procedure - Surveillance can provide invaluable information concerning criminal activity and aid in the successful resolution of cases.

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A. Purpose

1. To protect undercover officers or to corroborate their testimony.
2. To obtain evidence of a crime.
3. To locate persons by watching their haunts and associates.
4. To check on the reliability of informants.
5. To locate hidden property or contraband.
6. To obtain probable cause for obtaining search warrants or arrest warrants.
7. To prevent the commission of an act or to apprehend a subject in the commission of an act.
8. To obtain information for later use in an interrogation.
9. To develop leads and information received from other sources.
10. To identify suspects and associates and the vehicles used by them.
11. To obtain admissible legal evidence for use in court.

B. Authority - All pre-planned surveillance operations must be approved and directly monitored by a Sergeant or higher rank.

1. Prior to conducting surveillance, decoy, raids or undercover operations, a single person will be designated to command the operation.
2. That person will be known as the "officer-in-charge".
3. The officer-in-charge will notify the on-duty Uniform Services Division commander of the surveillance activities, as appropriate.

C. Pre-Planning - If time permits, before the initiation of surveillance all officers in the operations will undertake the following activities:

1. Officers should be knowledgeable about the scope and extent of crimes and activities in which the suspects are involved. Knowledge of all of these activities will prepare the agent for surveillance.

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- a. A study should be made of all files relating to the suspects, their activities and crimes, their victims, their working and neighborhood environments and the vehicles involved in the case.
 - b. A study relating to the suspects, the participants should focus on names and aliases used by the suspects, detailed physical descriptions including photos if they are available and any identifying characteristics and mannerisms. A plan addressing contact with suspects intentionally or inadvertently will be developed prior to the operation.
 - c. The habits and normal routines of the suspects should also be examined as well as probable "suspicion" of surveillance and ability to elude surveillance.
 - d. The identities and descriptions of known or suspected contacts or associates should be known.
2. Officers must also familiarize themselves with the type of neighborhood in which the operations will take place, concentrating on such aspects as the types of inhabitants, their dress and their use of language. This information will assist officers and their vehicles blend in with the neighborhood.
 3. The types of equipment employed in surveillance are limited only by the creativity of the participants themselves. Cameras, binoculars, telescopes and recording equipment will be included in preparations where applicable.
 4. Vehicles used in surveillance should not be conspicuous. A surveillance vehicle should fit the setting in which it will be used and be free of any feature which will readily distinguish it. Bright colors or loud exhaust systems call attention to the vehicle. Surveillance cars should have hand held radios with tactical channels to enable communications to be maintained with other units and telecommunications. The officers should carry binoculars in the vehicle to obtain information while maintaining distance from the suspect or area under surveillance.
 5. Whenever possible, the surveillance car should be occupied by two officers, one driver and one observer to take notes of observations and activities. The second officer can also take over surveillance on foot if necessary. Seating arrangements of these two officers should be changed periodically to avoid recognition by suspects. Officers should prepare for emergencies by carrying food, raincoats and any other items

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appropriate for the circumstances of the surveillance. It is sometimes beneficial to carry different sets of license plates that can be changed periodically. In driving surveillance vehicles, the officers should drive and park normally and avoid driving techniques that increase risk of vehicle crashes or make the car conspicuous.

6. Familiarization with the vehicles used by suspects in a case is another important aspect of surveillance preparation. This encompasses the descriptions and license numbers of vehicles, the suspects' driving habits, streets and routes frequented and the garage and repair facilities used by the suspects.
 - a. When referring to suspects' vehicles on tactical radio channels, the vehicles should be described as Target 1 or Target 2.
 - b. The surveillance team should not rule out the possibility that the suspects may have a police scanner.
 - c. Pre-planning will include the radio channel to be used for routine communication and the channel to be used for emergency communication.
7. Reconnaissance should be used to supplement file information. Someone who is familiar with the suspects should point out the suspects to the surveillance officers. A physical reconnaissance should be made to study the areas where the surveillance will take place and to identify vantage points, which are suitable for the officers. Similarly, traffic conditions can be observed and the officers can become familiar with the names and locations of streets in the area including locations of dead-end streets that may be used by the suspects to spot surveillance officers. The reconnaissance will also yield information on the neighborhood and its inhabitants that would not be in the police files.
8. As part of the surveillance preparation, the officers must consider their appearance. They must dress and adopt the demeanor of local inhabitants in order to blend in with the setting. The type of clothing to be worn will determine if concealment of weapons will be a problem. The officers should also carry such items as caps, jackets and glasses to effect quick changes in appearance. They should carry sufficient money to pay for meals, transportation or other expenses incurred in the surveillance. If possible, a reserve fund for use in emergencies should be arranged through the unit/squad supervisor.

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9. One of the initial tasks in planning and conducting surveillance is the designation of an "officer-in-charge." When a number of officers are involved, a tactical plan for all eventualities and the duties of each agent must be established. If surveillance is likely to be lengthy, arrangements should be made for suitable relief. A pre-arranged, secure system of communicating with other officers and supervisors and a centralized coordination must be established and maintained. Suitable signals for communicating information between surveillance officers should be developed and thoroughly understood by all participants. The type of information that might be communicated through such signals would be: "Take the point," "The suspect has stopped," "The suspect has made a contact or drop," "There is counter-surveillance," and "The suspect has spotted the surveillance." Explanations for being at a particular place and a particular time should also be discussed in the eventuality that an agent is approached by the subject and accused of following him/her.
 - a. Personnel assigned to the point or lead are responsible for maintaining visual contact of the target AND
 - b. Communicating current target locations until relieved by another surveillance unit.
10. The "officer-in-charge" must consider the legal ramifications of the surveillance including the locations of officers and the special equipment being used. When appropriate, the State Attorney's Office should be contacted for legal opinions prior to the start of a surveillance operation.
11. Special surveillance and undercover equipment is assigned to the Special Operations Division (SOD). The SIU Supervisor will keep a current inventory of the equipment and is responsible for keeping the equipment in good working order. The SIU Supervisor will also maintain a record of special equipment used by other officers and or other units within the Agency to include "date checked out" and "date checked in." Officers other than designated SOD officers are not authorized to use the equipment without approval of the SOD Commander or designee.
12. Surveillances that may result in activity outside the jurisdiction of the Agency will be coordinated with an agency of competent jurisdiction. The Division Commander will be notified as soon as practical of any surveillance that leads the surveillance team outside the county limits of Brevard County.

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608.3 Decoy Operations

- A. Analysis** - The decision to initiate a decoy operation will be based on an analysis of crimes, victims, locations, frequency of activity, probable offenders, methods of operation and any pertinent information.
- B. Resemble Victims** - Decoy officers should be selected and equipped with the intent that they resemble victims as much as possible.
- C. Back-up** - No decoy officer will be placed without an adequate number of backup officers nearby in the visual and/or verbal contact.
- D. Pre-Arranged Signals** - Action or “bust” signals and emergency signals, (verbal and visual), will be made known to and acknowledged by all personnel prior to the beginning of the operation. Planned signals ensure proper identification of suspects. Contact or arrest of suspects will be planned for specific locations to maximize officer and suspect safety.
- E. Authority** - All decoy operation plans will be approved by the Unit Supervisor and Lieutenant or above. The proposal of a decoy operation will be written in memorandum or email form outlining the need, expected results, and logistical information regarding the operation.
- F. Special Equipment** - Equipment, including concealable remote transmitters and photography equipment will be used as needed. If a vehicle is to be used in the operation it will be equipped with a tracking device if available.
- G. On-duty Commander Notification** - The **on-duty** Uniform Services Division Lieutenant and supervisors in the affected area will be notified in advance of the start of any decoy operations.
 - 1. Sworn supervisors will closely monitor all decoy operations.
 - 2. Take down officers will be clearly identified as police officers prior to deploying after any suspects.
- H. Officer-in Charge** - Prior to conducting surveillance, decoy, raids or undercover operations, a single person will be designated to command the operation. That person will be known as the “officer-in-charge”.
- I. Communication** - During the pre-Decoy Operation briefing a routine communications channel as well as an emergency communications channel will be selected and all participants in the operation must attend the briefing. If an incident occurs where emergency medical assistance is required, the

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participating officers will know to switch to a primary radio channel to summon fire rescue to respond.

J. Confirm Target Location - If appropriate, surveillance will be conducted to confirm target location prior to beginning the decoy operation.

608.4 Undercover Operations - Undercover operations will follow applicable procedures as provided in Special Investigations Operations Operating Manual.
[<OM A603.7>](#)

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: DNA Evidence & Reference Samples	Order No: 609	
Rescinds: None	CFA 5th:	Created: 07/25/11
Reference:		

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609.6	<u>In-House Lab Requests</u>

609 Policy

- A. This policy sets forth a procedure concerning the collection, processing, and preservation of DNA evidence and reference samples. It establishes training protocols for members authorized to handle DNA evidence and reference samples.
- B. The directive applies to all members who collect or process DNA evidence or reference samples in the performance of their duties.

609.1 Definitions

- A. **Buccal Swab** – a sample of cells gathered from the inside surface of an individual's cheeks.
- B. **DNA** – Deoxyribonucleic acid is a molecule carrying genetic information which when properly analyzed may identify the individual from whom it came.
- C. **DNA Evidence** – A swab sampling or object from a crime scene which an officer reasonably believes contains DNA material that may connect a suspect to a criminal incident.

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D. LODIS – Local Offender DNA Index System

E. Reference sample - Material taken from an individual whose identity is known or from objects which that individual has been observed handling. Reference samples may be taken from victims, witnesses, suspects, etc.

609.2 Training

A. Responsibility for Training- The Crime Scene Unit is responsible for providing initial and refresher training on DNA collection and evidence processing.

B. Initial Training- Training will be provided to all members who are issued DNA collection kits. The training will encompass this directive, collection techniques ensuring the best documentation, processing, preservation and storage. Properly trained personnel establish protocol that certifies the authenticity of the collected data.

C. Refresher Training- Refresher training will be administered as necessary according to changes in laws, equipment, techniques and/or procedures.

D. Lesson Plans- The Crime Scene Unit is responsible for the submission of lesson plans to the Training Section, prior to training members. The lesson plan will include the collection techniques, processing, preservation, packaging, storage, and methods for ensuring authenticity.

E. Attendance List- The assigned trainer is responsible to provide the Training Section a list of personnel who have completed this training.

609.3 Collection of Reference Samples

A. Authorized Circumstances - Collection of reference samples may occur one of four ways:

1. An individual consents to providing a swab or other material directly from his body. If the individual is a suspect, particularly an arrested person, he must consent to giving the buccal swab specifically for DNA purposes. Consensual swabs may be collected from victims, witnesses, etc. for elimination purposes. The person providing the consent will sign the bottom of the LODIS envelope.
2. An individual abandons material that an officer can directly attribute to that particular person from first hand observation, e.g.-blood on a cloth, saliva

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left on a drink container. The officer collecting the DNA must have reasonable suspicion that the person has committed a particular crime. Collect "suspect" reference items **ONLY** from suspects of specific crimes, e.g.-reasonable suspicion, arrested persons, persons for whom you have probable cause. No random collections will be made.

3. Material from a person in custody is legally seized by police or an officer obtains material likely to produce DNA during the processing of a prisoner, e.g.-breathalyzer mouth piece, latex gloves used to complete a body search of an arrestee per 901.21.
4. A person is compelled by a court order/search warrant to provide a sample as per the order or warrant. Except by court order, duress or force will **NOT** be used to obtain a DNA reference sample.

B. Procedures for collecting DNA reference swabs (from other than arrestees) - The preferred method of collection for a reference sample is to use the buccal swab method, or swab the surface upon which the DNA has been deposited with sterile supplies provided by the Department. However, officers may package and send an object that they can verify has a subject's DNA on it. The name of the officer on a DNA reference items **MUST** be the officer who actually obtained consent, saw the person in possession when abandoned, or captured the surreptitious sample. The officer who collects the sample will package it according to the following procedures. He will place his name upon the package to document that he is the officer who collected the sample regardless of who the investigating officer is.

1. Request a **CFS ONLY for DNA SAMPLE** and provide the name of the person from whom the swab or material is being obtained. If the reference sample is for a subject related to a reported incident, the original CFS tied to the DR will be used.
2. Air dry reference samples taken in the form of a swab before packaging.
3. Write the individual's name and date of birth, the CFS#, and the officer's ID# on the swab tube.
4. Place the dried swab into the swab tube.
5. Complete the label on the 6X9 packaging envelope labeled "REFERENCE SWAB." Provide details in the area labeled "Reason for Contact". This information is extremely important as entry into the database is strictly

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regulated. Comments such as “arrested” are too vague. Include details such as why the person was arrested, etc.

6. Record how the individual was positively identified on the package.
 7. Write “CONSENT SAMPLE” on the package when appropriate. This is extremely important when the sample is taken from a suspect or from an arrestee. The subject providing the sample must sign the envelope.
 8. Place the swab tube in the envelope and close using the metal clasp. **DO NOT LICK THE SEAL OR USE EVIDENCE TAPE. NO OTHER PAPERWORK IS REQUIRED.**
 9. Place the packaged sample in the metal locked storage bin in the interior man trap for the cell block in the main station.
 10. Reference samples taken in the form of objects will be dried and packaged as per normal evidence handling procedures, clearly marked “DNA REFERENCE SAMPLE” and placed into an evidence storage locker. A “REFERENCE SWAB” packaging envelope will be completed and stapled or affixed to the packaging.
- C. Procedures for collecting DNA reference swabs from arrestees –** DNA reference swabs should be collected from all arrestees. This will enhance the value of our database and increase the probability of obtaining a match to DNA evidence.
1. It is the responsibility of the arresting officer to collect the DNA reference swab from his prisoners.
 2. The booking officer or assisting officer will don latex gloves, being careful not to contaminate the outside of the latex gloves.
 3. Once the prisoner has been searched, immediately swab the outside of the latex gloves to collect the DNA from the prisoner.
 4. Properly package the DNA reference swab and place it in a DNA reference swab envelope for submission. Detailed instructions are above in 609.3.B.
 5. In the “How obtained” section circle **Surreptitiously**.

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6. Fill out the label completely. Record the DR# somewhere on the label or on the envelope.
7. Ask the arrestee if he will **CONSENT** to and **voluntarily** provide a DNA buccal swab.
8. If he does consent, collect the buccal swab which will be used as the official DNA reference swab of the arrestee.
9. Properly package the DNA reference swab and place it in a DNA reference swab envelope for submission.
10. In the "How obtained" section circle **Consent**.
11. Fill out the envelope label completely and include the DR# somewhere on the label or envelope.
12. You may now discard the DNA reference swab collected from the gloves as the buccal swab will likely produce a better DNA profile.
13. If the arrestee will not consent to a buccal swab you already have the DNA swab from the gloves which will be used as the DNA reference sample.

609.4 Collection of evidence for DNA processing

A. Considerations for locating the best evidence

1. Assess the scene, balance latent print option vs. DNA. Look for surfaces that likely will result in yielding DNA profile by abrading skin cells or from bodily fluids.
2. For DNA focus on body fluids (blood, semen) left by the suspect at the crime scene that tend to produce DNA profiles. Bites, scratches, blood, saliva, semen.
3. Contact DNA has been successful on certain items; not all. Do not submit items for swabbing (except cigarettes, gum, food product). Collect the swab for other items.
4. Collect the best one or two swabs at person crimes and property crimes such as burglaries, thefts, criminal mischief. A maximum of three items may be submitted.

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5. In constructive possession cases for drugs, paraphernalia, weapons cases, collect one swab per item in an effort to prove possession.
6. Evidence items must be sealed with evidence tape and marked with the DR#.
7. Complete label particularly describing the evidence so that Crime Scene can assess lab submissions.

B. Procedures for collection of DNA Evidence

1. DNA evidence, including swabbing, is to be collected and packaged referencing a DR# following the same procedures as for other types of evidence. Exceptions for DNA evidence are delineated herein.
2. Collection will be completed using gloved hands.
3. The preferred method of collecting DNA material for/from evidence for lab processing is to use the swab method.
 - a. Wet samples: use a dry sterile swab to collect the wet material
 - b. Dry samples: use a wet sterile swab with sterile water provided by the Department to collect the dry material.
4. Allow the swab to dry completely.
5. Complete the label on the swab tube, close using the end flaps and place the dried swab into the tube. The tube does NOT need to be taped.
6. Complete the label on the 6X9 packaging envelope labeled "EVIDENCE"--
ONLY ONE SAMPLE PER TUBE; ONLY ONE TUBE PER ENVELOPE.
7. Seal the envelope using evidence tape, complete a property receipt and attach. **DO NOT LICK THE ENVELOPE SEAL.**
8. Deposit the envelope and receipt into the designated evidence lockers.
9. Objects other than swabs collected for DNA testing are to be completely dried prior to packaging, and properly packaged as any other evidence, including use of evidence tape. Moisture damages DNA. **DO NOT USE PLASTIC PACKAGING. ONLY PAPER PACKAGING SHOULD BE USED.** Clearly mark the packaging with the words "DNA EVIDENCE,"

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complete a property report and an in-house lab form specifying which items you want processed for DNA and place into the designated evidence lockers.

609.5 LODIS

- A. Accounts-** User accounts will be established by the LODIS administrator or designee for those members who collect DNA as evidence, reference, or elimination. User accounts will be the members email address. Upon a separation from employment, the users account will be rendered inoperable.
- B. Administration-** LODIS will be administered and maintained by the program administrator and a secondary. The persons charged with this task will be designated by the Investigations Division Commander.
 - 1. The LODIS Administrators are responsible for establishing and maintaining member accounts to the database.
 - 2. The LODIS Administrators will ensure that members who are no longer employed by the Police Department do not have access to any of the database.
 - 3. The LODIS Administrators are responsible for assigning cases to members based upon nature and/or location of offense.
 - 4. The LODIS Administrators are responsible for ensuring the database reflects the investigation status (pending, arrest made, etc).
- C. Cataloging Samples-** All items of DNA will be cataloged and maintained by a Crime Scene Technician designated by the Investigations Division Commander. This member will also be responsible for sending items out to the lab upon approval from the LODIS Administrator or Investigations Division Commander.
- D. Evidence Processing-** DNA samples, (elimination, evidence, reference), will be sent to the lab for processing if any or all of the criterion below are met:
 - 1. Upon approval from the Investigation Division Commander LODIS administrators.
 - 2. A serious crime has occurred (sexual battery, homicide, robbery, etc).

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E. Evidence Review- The results of the DNA analysis will be maintained in LODIS. Results which yield an identification to a known/unknown suspect will be handled in the following manner:

1. If assigned to a detective, the LODIS administrator will notify that member of the status so that further investigation may be obtained.
 - a. The member will determine if the DNA evidence develops probable cause for an arrest.
 - b. If it is determined that probable cause exists, the detective will author a search warrant to obtain a DNA sample from the suspect for positive identification.
 - The member will ensure that the Search Warrant has been executed within the time established by the order.
 - The evidence collected will be sent to the lab for processing. The member will notify the LODIS administrator of the status.
 - c. If the lab positively identifies the suspect after the search warrant has been executed and probable cause has been established, the assigned member will obtain an arrest warrant on the subject. The member will notify the LODIS administrator of the status of the case.
 - d. If positive identification cannot be made by the lab or the member is unable to develop probable cause, he will notify the LODIS administrator of the status.
2. If the investigation is not assigned to a detective, the LODIS administrator will assign the investigation to a detective or officer depending on the crime committed.
3. If there is a DNA profile, however, no identification made, the LODIS administrator will review to determine if there is sufficient information to yield a potential suspect.
 - a. If there is, the Administrator will assign the case to a detective for follow up investigation and to attempt to obtain a DNA sample for comparison.
 - b. If there is insufficient information to yield a suspect or if after further investigation, it is determined that the suspect is still unknown, the

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case will be set to pending until there is a known suspect or DNA hit in the database.

F. Member Responsibility

1. Every member is responsible for maintaining their accounts in the LODIS database.
2. If a member receives notification via email that they have information in LODIS, they are responsible for logging into the system to ensure that further investigation is not warranted by them. Failure to comply may result in disciplinary action. For members who are on approved leave, they are required to log into the system upon return to duty.
 - a. For members who have not logged into the system to clear out a message, the LODIS Administrator will notify their respective supervisor of the status.
 - b. If the member has not logged into the system after a week of receiving the email notification, the Administrator will notify that member's lieutenant.
 - c. If more than two weeks have elapsed and the member has not logged into the database, the members Division Commander will be notified of the status.

G. Training- Training on the use of the program will be administered to members while they are in FTEP. Additional training will be provided as needed for any changes in this directive or program by the LODIS administrator or designee.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Response to Threats of Mass Violence	Order No: 610	
Rescinds: New	CFA 5th:	Revised Date: 03/20/18
Reference:		

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Section	Description
610	<u>Policy</u>
610.1	<u>Definitions</u>
610.2	<u>Preliminary Investigation</u>
610.3	<u>Investigations Responsibilities</u>
610.4	<u>Other responsibilities</u>

610 Policy

The Agency considers mass casualty threats as serious incidents and will handle the investigations accordingly. Communications Center personnel, officers and detectives must handle these types of calls with the utmost diligence. The potential for great bodily injury and traumatization warrants extreme care in the following established procedures. The primary concern is for the safety of our citizens as well as ensuring proper services are given to individuals and their families when behavioral issues are recognized.

610.1 Definitions

- A. Mass casualty threat** - Any threat, whether spoken, written, implied or made via social media relating to violence targeted at the school, church, business or staff.
- B. Social Media** - Any website or application (app) that enables users to create and share content or to participate in social networking. Examples: Facebook, Twitter, Snapchat, Instagram, YouTube, Digg, etc.
- C. Staff** - Any employee of the school, church or business where the threat is being made against.

610.2 Preliminary Investigation

- A.** When a call for service is received by the Communications Center regarding a mass casualty threat to a school (S37S), church (S37C) or other entity (S37O),

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it will be coded as a Signal 37 (Mass Casualty Threat). An officer will be dispatched to respond to the complainant's location to meet with them in order to gather facts for the initial investigation. If the complainant is located out of this Agency's jurisdiction, the Supervisor will be notified for the proper handling of the call (i.e. If the complainant is out of state or outside city limits, a call back by an on-duty supervisor will be made to gather facts for the complaint). In no case will a DBS handle these types of calls.

1. If the complainant is out of state, or outside this Agency's jurisdiction, the Supervisor will gather the facts over the phone and generate a DR based on the information given to them. The Supervisor will use this information to inform the Investigations Supervisor of the threats via telephone.
 2. If the complainant is in a neighboring jurisdiction, the Supervisor may send an officer to the complainant's location to gather facts for the initial report and handle the investigation according to this policy. If the Supervisor does not send an officer from this Agency, he/she will request a response from that jurisdiction and request the name, ID# and report or call number from the responding agency.
- B.** Determine the jurisdiction for where the threat is being targeted.
- C.** Ensure a DR is generated using FSS 777.777 containing the basic information regarding the complaint and any persons involved in the initial investigation.
1. In the event the officer finds the complainant suffers from a possible diminished mental capacity (i.e. Schizophrenic, dementia, etc.) and deems the complaint unfounded, he/she will notify their supervisor of the findings and complete the report including this information. In these cases, the supervisor will forward an email to the Investigations supervisor as to the findings. No call out of an investigator will be required if the initial complaint is cleared as unfounded due to the above.
 2. At the completion of the initial investigation and while still on scene, the officer will notify their supervisor of the facts obtained at which point, the supervisor will make the appropriate notifications to the Investigations Supervisor who will assign a detective to have them respond. This change in calling the Investigations supervisor and not the on call investigator only applies to this policy and does not affect the standard call out procedure. The Supervisor will notify the on-duty Watch Commander of the findings who will complete a staff notification.
 3. If it is determined by the initial officer on scene the threats are intended for a school or facility outside this Agency's jurisdiction, the officer will

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notify the Supervisor who will then notify the appropriate jurisdiction's agency. A report will be written and will include the name and ID# of the person notified of the incident. The Supervisor will email the Investigations Supervisor regarding the facts of the case including the DR#.

4. All steps taken during the course of the investigation will be noted in the initial report. The checklist is merely a guideline for the officer to follow and not meant as a substitute for the narrative.

D. Follow up responsibilities will be the responsibility of the assigned detective for the case.

610.3 Investigations Responsibilities

A. Detectives assigned to these types of cases will ensure the following investigative protocol is followed:

1. To ensure all applicable steps of the investigation are completed, the lead detective will use the "Threat Assessment/Investigation Checklist" as a step by step guide while conducting their investigation. This checklist will be initialed by applicable personnel conducting the processes and, at the completion of the investigation; the checklist will be turned in to records with all applicable documentation for the case report. Additionally, checklists will be required for crime analysts, and SOD. The lead detective will be responsible for ensuring the collection of the crime analyst check list. All steps taken during the course of the investigation will be noted in the Detective's report. The checklist is merely a guideline for the detective to follow and not meant as a substitute for the narrative.
2. The Investigations Division Lieutenant, or designee, will ensure notification is made to the Brevard County School Security Supervisor via email (Andrew.walters@bcso.us) or telephone (321-633-1000 ext. 233). If contact is made by telephone, the name and ID number, if applicable, will be included in the report narrative. If there is no answer, document in the narrative the time and date the message was left.

610.4 Other responsibilities

A monthly review will be conducted between the Investigations Commander and the Special Operations Commander. The results of this review will be forwarded in writing to the Deputy Chief and Chief of Police.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Electronic Monitoring Devices	Order No: GO 611	
Rescinds: GO611 Revised: 06/23/14	CFA 5th:	Revised: 05/12/15
Reference:		

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611.2	<u>Criteria</u>
611.3	<u>Reporting Requirements</u>
611.4	<u>Installing the EMD</u>
611.5	<u>Monitoring of the EMD and Responses to Alerts</u>
611.6	<u>Retrieval of the EMD</u>

611 Policy - It is the policy of the Palm Bay Police Department to identify and monitor high risk and/or repeat offenders for the purposes of tracking them electronically to deter further crimes from being committed.

611.1 Definitions

- A. EMD (Electronic Monitoring Device)** - Those devices such as ankle monitors provided by the Palm Bay Police Department or any other entity.
- B. EMD Coordinator** - A member designated by the Chief of Police to coordinate and facilitate the EMD Program.
- C. EMD Manager** - A member of the department who has been trained in the installation of the monitoring device onto a subject.

611.2 Criteria - In order to have a subject monitored by an EMD, they must meet certain criteria.

A. Subject Criteria

1. The person is the subject of a violent crime(s).
2. The subject has been arrested for one or more property crimes or any situation deemed necessary by the EMD Coordinator.
3. The requesting member must obtain supervisor permission.

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4. The member requesting the EMD must complete a supplemental report which will contain the EMD Request form along with a Cost Recovery Request pertaining to the EMD.

B. The device **MUST** be approved by a judge.

611.3 Reporting Requirements - The member must provide the reasons for the request of the EMD in the supplemental report. Included in the supplement report will be the time frame that is requested the suspect wear the monitoring device along with any additional requests (curfew, places court ordered not to be, etc.). If the member is authoring an arrest warrant he/she will request the device in the "special bond conditions" portion of the warrant. A cost recovery will still be completed and forwarded to records with the original report.

611.4 Installing the EMD

- A.** After a Judge has approved the EMD, the EMD Coordinator will authorize an EMD Manager to install the device on the suspect, either at the police department or the jail facility.
 1. In circumstances when a suspect has been taken into custody and a request has been approved by a Judge to have an EMD installed on the defendant, the member must make notation on the 923.01 in the 'hold for first appearance' area.
 2. The reason given for the hold will be for "Palm Bay Police Electronic Monitoring Device Install."
- B.** The member will explain how the monitor works and the negative effects of not abiding by the rules, to include an administrative \$50 fee if the EMD is damaged or lost.
- C.** The installing member will complete a supplemental report or add a note to the CFS documenting the device has been installed and that he/she properly instructed the subject.

611.5 Monitoring of the EMD and Responses to Alerts - The EMD Coordinator, Manager, and the case officer are responsible for the monitoring of the EMD.

- A. Monitoring** - The EMD Manager will monitor the device or may contact the monitoring company for any inquires on the status of the EMD. If any information is discovered that leads the EMD Coordinator, Manager or case officer to believe there is a violation, it will be followed up by either the case officer or patrol members.
 1. The case officer will go to the location that the subject is supposed to be located and investigate the potential violation.
 2. If the case officer determines, through their investigation, that there was indeed a violation of a court order demanding the suspect stay away from a location, remain at a specified location, or absent at specified location during certain hours, they must:

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- a. For cases which involve adult offenders, the responding officer or case officer will complete an Order to Show Cause to be presented to the judge for a determination on charges. In cases of domestic violence related violations, the case officer or responding member will attempt to locate the suspect and affect a custodial arrest. If the suspect cannot be located, charges will be filed with the SAO for the violation.
- b. In cases which involve juvenile offenders, the case officer or responding member will attempt to locate the subject and take them into custody for violation of the relevant charge, i.e. violation of home detention, violation of community control, etc.
- c. If the suspect cannot be located, the case officer will notify the appropriate SOD supervisor, EMD Coordinator, and place an entry into the Pass Along.
- d. If the EMD is located and it is apparent that the device has been tampered with, damaged, and/or the EMD is located separate from the suspect, the member will photograph the device to show any potential damage. The case manager will also determine if probable cause exists and charge the suspect if appropriate. The EMD Coordinator must also be notified.
- e. A supplement report must be completed for any confirmed or unsubstantiated violation.

B. Alerts - When the monitoring company receives an alert that the suspect is in violation of the court order, they will contact the Communications Center. In these instances, the calltaker must:

1. Obtain the suspect's name, date of birth, physical description, and what the potential violation is, i.e. violation of curfew, violation of home detention, etc. This information will be documented in the call for service and relayed to responding members.
2. If the monitoring company has the ability to provide the current GPS location of the suspect, if practicable, the call taker will keep the monitoring company on the phone until the suspect can be contacted to ensure constant updates of the location may be relayed to responding members.
3. The dispatcher will dispatch two officers to the location for the purposes of determining the status of the suspect.
4. Notify the patrol supervisor of the circumstances.

C. Patrol Response - Members who are dispatched to the location of an EMD alert will respond in a 'routine response' mode.

1. The responding members will follow the procedures listed in 611.5 A.

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2. The primary officer will complete a supplement report or add notes in the CFS and notify both the EMD Coordinator and case officer if they are not on scene at the time of the investigation.

611.6 Retrieval of the EMD

A. Collection of EMD - Upon termination of the court order which authorizes the EMD, the case officer will contact the suspect and arrange for a meeting at the Police Department or their residence.

1. The EMD Manager will meet with the suspect and remove the EMD.
2. The EMD Manager will inspect the device and document any damage which might be visible. If there is any damage visible, the member will photograph the EMD and submit the photographs to property evidence. The EMD Manager will also be notified.
3. The EMD Manager will inspect the device and determine if the device may be used again. The EMD Manager will give their recommendation to the EMD Coordinator who will make a final determination.

B. Reporting Requirements

1. The EMD Manager will complete a supplement report advising of the circumstances and condition of the EMD upon retrieval.
2. If there is any damage noted upon inspection of the EMD, the collecting member will approximate the amount of damage which is visible which will be noted in the supplement report.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Investigations Division SVU, MCU, FI Operations		OM No: A602
Rescinds: OMA602 Revised: 05/09/18	CFA 5th: Chapter 15	Revised: 12/04/18
Reference: GO 602, OM B602, GO 604, GO 605, GO 606, GO 607, GO 608		
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602.22	<u>Fingerprint Identification (FI) Unit</u>	

602 Purpose - The purpose of the Criminal Investigations Division is to conduct preliminary, follow-up and special subject investigations, as conditions require. Included within this process is the objective of establishing an information base of criminal activity, encompassing the identification and apprehension of

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offenders for prosecution. Variable duty schedules, established networks of information and resources, and personnel expertise enable the Criminal Investigations Division to accomplish this goal. This Operating Manual provides standard operating procedures for Criminal Investigations Division personnel to execute their function.

602.1 Components [GO 106](#)

- A. Major Case Unit (MCU)** - responsible for criminal investigations as provided in Investigations Division.
- B. Special Victims Unit (SVU)** - responsible for criminal investigations as provided in Investigations Division.
- C. Technical Services Unit** - responsible for criminal investigations as provided in Investigations Division. See Crime Scene Procedures [OMB 602](#)

602.2 Case Designations

- A. Designations** - Every assigned case will be designated open, unfounded, closed, exceptionally cleared, capias request, arrest warrant, TOT (turned over to another agency), inactive (non-criminal) or cleared by arrest (CBA), reflecting internal administrative categories designated to assist in the case management and control.
- B. Open** - An open case status indicates that the case is assigned to an investigator and is in the process of being actively investigated. These cases will be classified as "OPEN."
- C. Closed** - A closed case status indicates that all investigative leads have been exhausted and no further investigation will take place until further investigative leads unfold. The following is the criteria for case closure:
 1. Supervisors will evaluate the solvability factors and the seriousness of the cases. When the solvability factors and seriousness of the crime are considered together, the Investigations supervisor will use this information to determine what cases to assign.
 2. Supervisors will regularly re-evaluate active case investigations, utilizing any additional facts and information to update the case's assignment value.
- D. CBA, Exceptionally Cleared, Unfounded, etc.** - All other case classifications indicate the case is no longer being actively investigated because a satisfactory

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conclusion has been reached and includes those cases where official dispositions are: cleared by arrest, exceptionally cleared, unfounded, capias request, arrest warrant, TOT (turned over to another agency), inactive (non-criminal).

602.3 Case File Maintenance System - The following procedures provide an immediate information resource to investigators and administrators regarding active case investigations and court presentations.

A. Contents - The investigative case file will contain the following items:

1. A working copy of the original report, (the original itself will be kept in Records Unit).
2. Transcribed, written, video or audio recorded statements.
3. Forensic examinations if completed.
4. Results of Truth Verification examinations.
5. Property receipts.
6. Case filing results.
7. **Any** other reports or documents pertaining to the investigation, and/or contained in the original case report.
8. Witness Statements.
9. Supplemental reports.
10. Persons reports.
11. Vehicle reports.
12. Photo line-up sheets.

B. Security - The files will be secured and maintained in the Criminal Investigations Division. While the case is in active status, access will be limited to those who have an official need to know.

C. Final Disposition - Cases that are no longer being actively investigated will be filed in the Records Unit.

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602.4 Investigative Procedures - The following procedures will serve as a guideline to investigators and will be followed in all cases unless impracticable. These procedures ensure consistency and deliberate investigation. The investigator will consider these procedures as basic essential steps in an adequate investigation and use their own judgment and initiative in determining what each individual case demands in the way of additional investigation.

A. Investigators at Crime Scenes - An Investigator should respond to the scene of a crime under the following conditions:

1. When requested by any supervisor.
2. When a victim has been seriously injured.
3. When a suspect is apprehended that has been involved in a crime that falls under the Investigations Division's responsibility.
4. When a suspect has been identified in a crime that falls under the Criminal Investigations Division responsibility, USD will notify investigations and the Investigator will decide on response.
5. When the facts of the case indicate, a successful follow up investigation can and should be conducted immediately.

B. Investigator Responsibilities at Scene

1. Assume responsibility for the investigation.
2. Ensure the initial investigative action has been taken by USD and take additional steps as necessary.
3. Interview the victims and witnesses of the offense. See Interview and Interrogations. [GO 604](#)
4. Ensure that a proper canvass of the area has been conducted and indicate the names and addresses of all persons interviewed, including a summary of their observations.
5. If identifiable property has been taken, ensure that the information is included in initial reports and NCIC.
6. Broadcast additional information as necessary.

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7. Conduct a photo line-up when sufficient suspect information has been developed. See Show-ups and Line-ups [GO 605](#).
8. Follow up all available leads to a conclusion prior to terminating initial investigation.
9. Request the Crime Scene Unit to respond when the scene requires.
10. **NOTE:** In most situations, where the crime scene has any degree of complexity, it will be necessary for the lead investigator to coordinate with investigative and USD supervisors to ensure that the above steps are being performed.

C. Post Arrest Procedure

1. Take statements from suspects, victims, and witnesses in major cases, when requested by a uniform supervisor, or in those cases where the investigator is actively involved as the investigating/or arresting officer.
2. Conduct a photo lineup as provided by lineup procedures. [GO 605](#)
3. Notify the victim of the outcome of the investigation. **See Victim Services** [GO 802](#).

D. Developing Information

1. The original report constitutes the basic source of information received by the Investigative Unit.
2. All reports will be reviewed by the appropriate supervisors to discover any valuable criminal intelligence such as emerging crime patterns.
3. Other sources of information:
 - a. Review of information provided by crime analysis. [GO 308](#)
 - b. Field Interviews. [GO 210](#)
 - c. Neighborhood canvasses.
 - d. Crime intelligence bulletins. [GO 306](#)

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- e. Crimeline.
- f. Pawn slips.
- g. Meetings and Liaisons with other agencies.
- h. Media with assistance from the Public Information Coordinator. [GO 310](#)
- i. Confidential informants. [GO 607](#)
- j. Interviews and Interrogations. [GO 604](#)
- k. Surveillance. [GO 608](#)
- l. Sex Offender registry and other databases. [GO 803](#)
- m. Roll Calls - Investigators will have daily contact with USD personnel by frequently attending roll calls to enhance communication relating to criminal activity, intelligence and special problems.

602.5 Case Assignments and Follow-Up Procedures - Case assignments will be made by the respective unit supervisor or designee. Once a case is assigned it becomes the responsibility of the investigator to whom it is assigned, and they are responsible for the complete investigation and court presentation. Assistance may be requested from the supervisor or other investigators but this does not remove or lessen the assigned investigator overall responsibility for the total investigation of the case. The following procedures should be used along with any other steps necessary to ensure a quality investigation. The steps are intended as a guide, and do not preclude the assigned investigator from going beyond what is necessary for the successful conclusion of the case. **Investigators will comply with all constitutional requirements during criminal investigations to include interviews, interrogations, access to counsel and search and seizure.** Provisions in Agency [General Orders on Interview and Interrogations GO 604](#) and Search and Seizure [GO 219](#) will be followed.

- A. Review and analyze** - Review and analyze all previous reports prepared in the preliminary phase of the initial investigation. Ensure the information contained in the report is correct. This includes results from laboratory examinations and photographs.
- B. Complainant Contact** - All complainants will be contacted within **24** hours after the assignment is received.

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1. If personal contact is not accomplished, a preliminary telephone contact will be attempted.
 2. The initial phone contact does not relieve the investigator of making personal contact or a neighborhood canvass if the case dictates.
 3. The initial contact will be noted in a supplementary report on assigned cases. It will include the date, time, and person contacted.
 4. In the absence of an initial contact, due to extenuating circumstances such as no telephone number or complainant does not return calls; a registered letter will be mailed to the complainant requesting their cooperation in the investigation.
 - a. Upon conclusion of the investigation, the victim(s) of the crime will be notified in person, via telephone or via email of the status of the investigation prior to closing it.
 - b. If the above avenues are not successful, a certified letter with return receipt will be sent to the victim's last known address advising them to contact the primary investigator within a specified amount of time (2-3 weeks). A copy of the letter will be submitted with the case report to Records.
 - c. If no contact is made, the case may be closed upon supervisor approval.
- C. Further Interviews** - Conduct additional interviews and interrogations if necessary from USD officers, victims, witnesses, suspects or informants.
- D. Searches** - Based on information obtained, conduct searches for additional physical evidence. [GO 219](#)
- E. Action Plan** - A plan of action which will include if necessary, the organization of search warrants following established legal guidelines, organizing additional manpower, and the collection of physical evidence.
1. Identify and actively pursue suspects for the purpose of arrest and recovery of stolen property or other type of physical evidence for criminal prosecution.
 2. Establish the involvement of the suspects in other crimes.
 3. Research suspects prior criminal history.

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4. Interview suspects and obtain confession statements when possible.
5. Present completed case to investigative supervisor for approval.
6. Present completed case file to State Attorney's Office and preparation for court.
7. Along with the regularly assigned cases other cases may be given to the investigator for information only. Each case assigned for information only will be scrutinized by the investigator for leads or tie in to other investigations being conducted.

F. Voice Stress Analysis (VSA) will be used as a technical aid in the detection of stress which may be caused by a person being deceptive. When possible, the VSA will be conducted in one of the Agency's interview rooms and will be video recorded.

1. VSA examinations may be conducted to assist in any official investigation to include all criminal, administrative, and pre-employment investigations as permitted by law.
2. **VSA Examiners must** obtain and maintain current certification as required by the certifying entity before conducting VSA examinations.

602.6 Case Documentation - Case reports will conform to current approved written documentation procedures and will be typed into the appropriate electronic modules or systems.

A. Supplementary Reports - A Supplementary Report will be submitted when necessary or requested.

1. The format of a Supplementary Report will be the current approved supplemental report. The report will contain all investigative steps taken and all information collected.
2. When a report fails to meet the minimum standards, the supervisor will return the report to the investigator setting forth the reasons for rejection. The investigator is then responsible to correct and return the report on his next workday. Should such a problem continue, other corrective measures may be taken by the supervisor.

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3. No Investigator will hold or keep in his possession or personal files any copy of a case report except the working copy. **Reports will not be left lying in any unsecured areas.**
4. Investigator supplementary reports, which are forwarded to the State, will include the following information:
 - a. Time, date and day of occurrence, if know or can be established.
 - b. Address of occurrence, include business name and type of premises.
 - c. Victim's name, date of birth, race, sex, residence address and telephone number, business address and telephone number.
 - d. Witness or other persons, (same information as above).
 - e. Suspect, (same information as above).
 - f. Case Summary of entire investigation including disposition.
 - g. Property taken and value. If property has been recovered, where it is being stored.
 - h. Vehicle(s) used, (Describe in detail, list owner if known).
 - i. Description of weapons used, if applicable.
 - j. Case investigation narrative chronologically describing all action taken during the investigation, including details of offense, witness statements, arrests, message/BOLOs issued and canceled, etc.
 - k. List all investigative leads or additional information.
 - l. List of attachments.
 - m. Proper signature and notary blocks.
- B. Other Reports** - Various reports such as those from the Crime Lab and Identification Unit, or other units of this Agency will be distributed to the investigator for information. After reading these reports, they will be filed with the case report.

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602.7 Arson Investigation Procedures - Personnel assigned to conduct follow-up investigations involving arson will adhere to the following procedures when appropriate.

- A.** Palm Bay Fire Department Fire Investigator will be called to every arson scene. Arson or fires of a suspicious nature will be investigated by the Palm Bay Fire Department Fire Investigator and State Fire Marshal. Only if death, or serious injury, results from the arson, a police investigator will be assigned to work with the Fire Department investigators. Section 602.9 dealing with homicide or attempted homicide, will be utilized in conjunction with the procedure in this section. The police fire investigator will assist the Fire Department investigator and State Fire Marshal to establish the origin and cause of the fire.
- B.** If called to the fire scene, involving death or serious injury, coordinate with the Fire Department Investigator or Fire Marshall to call out ID Crime Scene Tech to assist with scene processing.

602.8 Homicide Investigation Procedures - This procedure will apply to all investigators assigned to investigate homicides.

A. Agency responsibilities

- 1. The Investigations Division will conduct a thorough investigation to collect all known tangible and intangible evidence that deals with the issues of cause and manner of death and identity of the person(s) responsible for the death.
- 2. Investigator(s) will actively seek advice from the State Attorney's Office with regards to questions of a legal nature.
- 3. The Investigator will be the liaison with the Medical Examiner's office. They will ensure any evidence material to the determination of the cause of death will be made available to the Medical Examiner (F.S.S. 406.14)

B. Official notification

- 1. An MCU Supervisor will be advised whenever a homicide is brought to the attention of the Agency. Upon the request of the on-call investigator, the supervisor will respond to the death scene and will notify the Investigations Division chain of command. **All homicide investigations will have a Criminal Investigation Detective assigned as a primary case investigator.**

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2. When appropriate, the lead investigator will ensure that the Medical Examiner (ME) and, if applicable, the on-call State Attorney have been advised of the case.

C. On-Scene Investigative Responsibilities. Investigator(s), upon assuming command of the crime scene, will when applicable:

1. Make certain the crime scene is secured. Have an officer maintaining a log of all persons who enter the crime scene indicating arrival and departure times. Establish one entry and exit point.
2. Maintain scene integrity. Do not allow phone, toilets, sinks garbage, etc. to be used. No smoking or tobacco use in or around the scene. All items brought into the scene, i.e. gloves and processing materials will be brought outside to designated trash site.
3. Obtain a summary of the incident from officers on the scene.
4. The CID supervisor on scene will assign a lead investigator, and, if necessary, a co-lead investigator.
5. The CID supervisor on scene will assign an investigator or other investigations personnel to be the Case Management Officer, (CMO). This will consist of logging all leads on a case management log sheet with information pertaining to the lead number, investigator assigned, nature of lead, date returned and of the results of the investigation. The CMO will provide each investigator with a lead sheet that will be returned when completed to the CMO. The lead investigator and/or investigative team will determine which leads are to be followed up upon and the priority of each lead. The CMO will maintain the case management log sheet and all returned lead sheets until the conclusion of the investigation at which time they will be turned over to the lead investigator.
6. Ensure that all witnesses are separated and have been initially interviewed, recording the names of all witnesses, their addresses, and their phone numbers. Witnesses with important information should be taken to the police department for more detailed recorded statements.
7. Obtain the names, phone numbers and addresses of all emergency medical personnel who had been on-scene or who are still on-scene. Ask if the body or other items have been moved and what materials if any have been left by them.

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8. Ensure that all information regarding any suspect(s) is disseminated to all police personnel and to other police agencies as soon as possible.
9. Obtain a search warrant prior to a crime scene search if required.
10. Arrange for a complete neighborhood check for potential witnesses and/or suspects, documenting those persons contacted, their statements and the addresses where no one was home.
11. Have crime scene technician(s) respond to the scene. Brief them regarding the circumstances of the crime and plan the crime scene search. The crime scene will be properly documented as per current standard operating procedure governing the Crime Scene Unit. See [OMB 602](#).
12. Attempt to determine the identity of the deceased. In all cases, the victim will be fingerprinted, usually by the crime scene technician just prior to the autopsy.
13. Consult with the ME regarding the removal of the body and the time and location of the autopsy. No body will be removed from the place of death except upon the authority of the ME, nor will the body or any article on or immediately surrounding the body be disturbed until authorized by the lead investigator. The ME is responsible for a complete inventory of all items on the person of the deceased. After items on the body are inventoried by the ME, they may be taken by the investigator or crime scene technician at the scene if the items appear to be of evidentiary value. The on-scene CID supervisor will arrange for long-term scene security when necessary.
14. The on-scene CID supervisor will coordinate a press release-regarding the death investigation with the Agency Public Information Officer. The lead investigator will be responsible for contacting the next of kin as soon as possible prior to release of the identity of the victim. The press release will be issued by the Public Information Officer if he/she is available. If the Public Information Officer is not available, the Chief of Police or his designee will make the release.

D. Contact with the suspect(s)

1. If the suspect(s) is in custody and interrogation is planned, they will be advised of their constitutional rights by reading the written Constitutional Rights Waiver form. A waiver of their rights must be obtained prior to any questioning. [GO 604](#)

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- a. The interrogation of a homicide suspect will be video and audiotape recorded.
 - b. The recordings will be submitted as evidence.
2. The lead investigator will consult with the State Attorney's Office prior to obtaining hair, blood and/or DNA samples from the suspect(s).
3. The suspect(s) will be fingerprinted and photographed from all four sides in the clothing worn at the time of apprehension. Photographs should be taken with and without glasses and hats, if worn by the suspect(s).
4. If the suspect(s) are contacted within a reasonable time after the offense, the following will occur: All the suspect(s) clothing will be seized as evidence and each item will be packaged separately. The suspect(s) will be examined as soon as possible after arrest to establish evidence of suspect's physical condition. Close-up photographs of any injured areas should be obtained.

E. Follow-up Investigative Procedures (When applicable)

1. Complete criminal histories of the victim and of known or possible suspect(s) along with a departmental records check and any other computer information systems currently available.
2. Review all reports from Agency personnel for more information and leads, attempt to contact informants, if the suspect(s) are not known to try and identify the suspect(s).
3. Complete a background investigation on both the suspect(s) and the victim by contacting employers, family member, friends etc.
4. Re-interview witnesses for additional information, completing composite of suspect(s) if applicable.
5. Disseminate composite and suspect description in an intelligence bulletin, through the Crime Analyst, to all operational officers and surrounding police agencies thru the designated Crime Analyst, if that information is available.
6. Prepare laboratory requests for lab work with the FDLE crime lab or other applicable crime labs and review all information received from laboratories for completeness and consistency with the cause of death or incident.

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7. Check with local agencies for contact with suspect(s), other crimes committed by suspect(s) or victim(s) and send a teletype requesting other similar crimes committed by suspect(s) or victim statewide or nationwide depending on the circumstances of the case.
8. Ensure that the SAO has all reports by the Agency and assist the SAO in preparing the prosecution of the case if a suspect is arrested.
9. Conduct timely meetings with all investigative supervisors and investigators to keep them up to date on the case and to advise them of other needed information.
10. An investigator should attend the funeral or viewing for possible investigative leads.

602.9 Robbery Investigation Procedure - This procedure will apply to all investigators assigned to investigate robbery.

- A. Have victim(s) and/or witnesses assist with a composite of the suspect(s).
- B. Prepare composite of suspect(s) for distribution.
- C. Ensure that the crime scene is processed by crime scene technician.
- D. Ensure that suspect(s) and vehicle descriptions are broadcast to officers.
- E. Ensure that other agencies are notified and request that agencies with similar cases provide information.
- F. Determine the exact amount of the loss, but do not release the exact amount of the loss to the news media.
- G. Obtain a detailed written and/or taped statement from victim(s) and witnesses.
- H. Provide the Public Information Officer with copies of the suspect(s) composite and pertinent information that will not jeopardize the investigation for release to the media.
- I. Provide information to the Crime Analyst for an intelligence bulletin for dissemination to USD and local law enforcement agencies.
- J. Inquire about surveillance-hidden camera or videos and if available, obtain film, tape or digital media.

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- K. Determine if suspicious persons or vehicles were seen in the area prior to the robbery.
- L. Trace identifiable escape routes in order to try and locate discarded evidence.
- M. Determine if the stolen proceeds were marked (use of bait money with recorded serial numbers or dye).
- N. Consider suspect(s) familiarity with surroundings or business procedures of victim establishment.
- O. Consider the possibility of a false report to conceal a theft case.
- P. Consider the use of a VSA to confirm statements.
- Q. Ensure crime scene obtains elimination prints from personnel employed by the business if applicable.
- R. Conduct photo-lineups with victim(s) and/or witnesses if a suspect is developed. [GO 605](#)
- S. Check for criminal histories and warrant checks on developed suspect.
- T. Check all other available information sources for pertinent information on suspects and (Records Management System, Bullet, DHSMV, etc.).
- U. Review past robberies for a similar MO and attempt to determine the whereabouts of past suspects.
 - 1. Description of weapons used if applicable.
 - 2. Exact words or phrase used to announce the robbery to include accent, speech impediment, etc.
 - 3. Note to announce robbery if applicable.
 - 4. Compare physical descriptions.
 - 5. Similarities of targets.
 - 6. Disguise used if applicable.

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7. Method of escape.
- V. Contact informants and known associates of possible suspects to help develop information regarding the case.
- W. The investigator will prepare detailed supplemental report per procedure previously mentioned in this manual.

602.10 Runaway / Missing Juvenile Investigation Procedure - This procedure will apply to all investigators assigned to investigate Runaway or missing juveniles.

- A. Preliminary investigations are conducted by uniform USD officer under the guidelines set forth in [GO 227](#), Missing/Endangered Persons and [OMA502.31](#).
- B. Primary follow-up responsibility will be determined based on the following guidelines:
 1. SVU - assigned primary if circumstances indicate child is missing as a result of abuse, neglect, or domestic violence or suspected abduction. SVU will investigate parental kidnapping and interference with custody cases where the child is reported missing. If a child is under 12 years of age and reported by the parent or guardian as a voluntarily runaway, a SVU investigator will be assigned to conduct a follow-up investigation.
 2. Special Operations Division Sergeants' are responsible to assign follow-up responsibilities for children between ages 12 to 17 who do not meet the criteria provided in 1 of this section and the parent or guardian are reporting the child as a voluntary runaway. The SOD Sergeant will assign an investigator who will complete the following procedures:
 - a. Contact is made with the legal guardian for additional information and to confirm that the runaway is still missing.
 - b. If the runaway has not returned within thirty days, the follow-up investigation will include a letter to the parents notifying them that they need to obtain the child's dental records for entry into the NCIC system and a recent photograph.
 - c. The assigned investigator will review the case and determine if foul play or suspicious circumstances would upgrade the child to an endangered status.

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- d. Follow-up will be attempted with the legal guardian every **30** days for any additional information and to confirm the runaway is still missing. If the child is still missing and no investigative leads have developed to locate the child, the assigned investigator **will** complete a supplemental report stating same within 2 work days of the case review. The YSU supervisor **will** notify his/her supervisor.
- e. The investigator will prepare detailed supplemental report per procedure previously mentioned in this manual.

602.11 Emergency Missing Child Alert, (Amber Alert), Child Abduction Response Team, (CART), Procedures - This procedure is for when a child 17 years of age or younger is abducted and there is reason to believe the victim is in imminent danger of serious bodily injury or death. This procedure is not for runaways, child custody disputes or for missing juveniles who are not in imminent danger. SVU will be notified.

- A. If a child is missing under these circumstances the USD officer will obtain a full and accurate description of the child and a photograph with this information being provided on a "Missing Child" form. After this information is gained, the SVU Detective will call the "[A Child is Missing](#)" organization at 1-888-875-2246 and provide them with the missing child's information. This organization will then conduct a phone canvass of the area.
- B. The SVU Detective will then complete the Florida Emergency Missing Child Alert, (FEMCA), form and contact FDLE at 1-888-356-4774 to request a broadcast reference the missing child. The SVU Detective will provide FDLE with the FEMCA form and a photograph. If the child is found, the alert will be canceled.
- C. The missing child's room will be treated as a crime scene and SVU will be notified of the missing child.
- D. The photograph will also be prepared in an intelligence bulletin format by the designated Crime Analyst. This bulletin will be used for the National Center for Missing and Exploited Children, (NCMEC), "LOCATOR" program. This bulletin will then be sent to all local agencies and/or agencies related to this event.
- E. The investigator will ensure USD has established an Incident Command System and may request additional investigators/crime scene personnel if needed. The CART team will be called out if there is an indication that the child is missing under suspicious circumstances, or a person other than a family

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member has abducted the child and/or the child is endangered. The CART system provides for the following resource availability:

- a. Palm Bay Police Department Unified Command Center and Command Post Team
 - b. Other Investigative Resources
 - c. Crime Scene Units
 - d. Sex Offender Tracking Unit
 - e. K-9 Search and Rescue Teams
 - f. Star Air Support
 - g. Analytical Coordinator
 - h. Amber Alert Coordinator
 - i. MCIC Liaison
 - j. CART is structured from ICS and should be integrated into the ICS already in operation by first responders handling the incident.
- F.** The investigator will brief and update all additional personnel including supervisors and assisting investigators.
- G.** At the scene, the lead investigator, with assistance of CART if activated, will ensure that everyone is identified and interviewed separately. Make sure that each interview and identifying information is properly recorded. The following information should be obtained:
- 1. Name, address, home/business telephone numbers.
 - 2. Determine each person's relationship to the missing child.
 - 3. Information that each person may have about the missing child's disappearance.
 - 4. Determine when/where each person last saw the missing child.
 - 5. Ask each person "What do you think happened to the child".

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- H. Update bulletins for local law enforcement agencies, state missing children clearing house, FBI and other appropriate agencies.
- I. Arrange for a press release through the Public Information Coordinator to disseminate information that will assist the investigation.
- J. Secure the missing child's latest medical and dental records.
- K. Establish a telephone hotline for leads.
- L. Establish a lead management system to prioritize leads and ensure that each one is reviewed and followed up on.
- M. Utilize the Sex Crimes Tracking Administrator and Crime Analyst to check for any connection between known criminal offenders and sexual offenders/predators living in the area of the disappearance.
- N. In addition to the Amber Alert, a local Code Red notification on the BOLO for the victim/ suspect and a county-wide Reverse 911 should be activated.
- O. A canvass of the neighborhood needs to be done, probably more than once.
- P. Citizen volunteers should be called out to assist with the search if appropriate.
- Q. Recovery/Case Closure
 - 1. If the child is recovered safely, the investigator will conduct a thorough interview of the child and involve appropriate agencies.
 - 2. Consider a comprehensive physical examination for the child.
 - 3. Make child/family aware of community services to deal with unresolved issues.
 - 4. Cancel BOLO and remove the child from FCIC/NCIC and other information systems.
- R. The investigator will prepare detailed supplemental report per procedure previously mentioned in this manual.

602.12 Missing Endangered Adult Investigations - Reported missing endangered adult follow-up investigations will be assigned to a MCU investigator if the circumstances

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surrounding the missing adult indicate foul play, the missing adult is mentally incompetent or facts indicate suspicious conditions exist regarding the incident. If the investigator is called to assist USD officers on a reported missing adult, the investigator will ensure the preliminary investigative procedures have been followed as outlined in the Missing Endangered Person GO 227.

602.13 Sexual Battery Investigation Procedures - The investigator assigned to investigate sexual batteries is responsible for the proper and thorough follow-up investigation through established criteria such as solvability factors, workload, expertise of investigator, sensitivity and priority of the case. Investigators assigned to conduct follow-up investigations involving sexual battery will adhere to the following procedures when appropriate.

- A.** Ensure that the initial responding USD Officers have properly and completely conducted initial investigation and reports.
- B.** Ensure medical personnel conduct a sexual battery kit examination on the victim at a designated medical facility and the victim(s) is referred to the Sexual Victims Advocates, (SAV), for counseling and assistance. A detective will accompany the victim thru this process (at the hospital and/or SAVS) for both investigative purposes and to answer any questions the victim and/or medical staff may have.
 - 1.** Ensure the victim is informed of the purpose of submitting evidence that is collected for testing.
 - 2.** Ensure the victim is informed of the right to request testing by a law enforcement agency that collects other DNA evidence associated with the sexual offense if a sexual assault kit is not collected.
- C.** Ensure that the crime scene is processed completely, seizing the victim's clothing, bedding, carpet, towels or any items that could contain physical evidence.
- D.** Ensure that photographs are taken of all injuries to the victim and photograph the injuries after two to three days.
- E.** Ensure that a complete neighborhood check is made for possible witnesses.
- F.** Ensure that suspect/vehicle descriptions are broadcast to all officers and surrounding law enforcement agencies if the suspect is unknown. Request response from agencies with similar cases.

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- G.** Obtain medical releases from all injured parties.
- H.** Have victim/witnesses assist with a composite of the suspect if the suspect is unknown.
- I.** Contact Public Information Officer for release of information and composite to news media.
- J.** Provide information to the Crime Analyst to prepare intelligence bulletin for USD officers and other agencies.
- K.** Consult with parole or probation officers to identify possible suspects based on similar modus operandi and/or suspect descriptions.
- L.** Check the FDLE sexual predator/offender database for possible suspect information. Coordinate with Agency Sexual Offender Management Officer.
- M.** Obtain video/audio taped sworn statement from the victim. Interview the victim in great detail to establish the elements of the crime and to develop a profile of the suspect, considering the following questions.
 - 1. In what manner did the offender gain access to the victim? Did he use a con, ruse, surprise or computer? Did the victim know the suspect?
 - 2. How did the offender obtain and maintain control of the victim during the crime (weapon, threats, or mere presence)? Was a weapon actually observed?
 - 3. What physical assault, if any, was sustained by the victim (slapped, punched, burned, cut, or other)? Was there penetration and if so where (oral, anal or vaginal)?
 - 4. Did the victim offer any verbal or physical resistance to the suspect, and if so, what?
 - 5. What were the offender's reactions to the resistance offered by the victim? Did he flee, strike the victim, threaten the victim, or relent in his attack?
 - 6. Did the subject have difficulty in obtaining or maintaining an erection during the attack?

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7. What acts were demanded of the victim or performed by the suspect in order for him to obtain or maintain an erection? What was the sequence of events or acts and was there any repetition of those acts?
8. Did the suspect experience premature ejaculation, retarded (difficult) ejaculation, or did he in fact not ejaculate?
9. If ejaculation occurred, obtain the specific location of the ejaculation, (vaginal, oral, anal, outside the body, and if so, where)?
10. Obtain specific information concerning the sexual battery itself to include:
 - a. Vaginal
 - b. Oral
 - c. Anal
 - d. Victim masturbating suspect.
 - e. Subject masturbating self.
 - f. Victim forced to masturbate self or use foreign object on self.
 - g. Fondling of the victim by the suspect.
 - h. Digital manipulation by the suspect on the victim.
 - i. Use of foreign objects on victim by suspect.
 - j. If more than one victim, acts demanded of victims to perform on each other.
11. Determine from the victim what type of demeanor was demonstrated by the suspect (gentle, firm, abusive, hostile, apologetic).
12. Did the suspect's demeanor change at any time during the entire process and, if so, how (threatening to apologetic, friendly to hostile, etc.)?
13. During the sexual battery, did the suspect speak in a calming manner, a foul or profane manner, threatening manner, or in a moderate tone of voice?

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14. Did the suspect take any personal items belonging to the victim (clothing, hair, jewelry, etc.)?
 15. Did the suspect establish any safeguards prior to, during, or after the attack (disconnect the phone, lock or tie up victim, etc.)? If bondage devices were utilized, what types (hood, gag, tape, rope, etc.)?
 16. If physical or verbal assault of the victim took place, and cease?
 17. Who else was present with the victim during the sexual battery, (small children, husband, etc.)?
 18. Did the subject attempt to mask his identity in any manner from the victim (gloves, mask, blindfolded the victim, not allowing the victim to look at him, etc.)?
 19. Determine an estimate of time the suspect remained with the victim.
 20. Determine if the victim received any obscene phone calls prior to or after the sexual battery.
 21. Can the victim identify the suspect?
 22. Can the victim identify any odors from the suspect, voice dialect or accent?
 23. Did the suspect excrete any bodily fluids during the crime (blood, semen, saliva, etc.)?
 24. Conduct thorough local background search utilizing available information sources on victim.
 25. If the victim has moved to the area within the last three years, conduct an offline NCIC check for any additional background information available.
 26. If a suspect is identified, conduct a thorough background search utilizing all available information sources.
- N.** If the suspect is arrested shortly after the offense occurred, the following procedures will be followed:
1. Seize all the subject's clothes for evidentiary purposes. A consent search or search warrant may be obtained for the suspect's home and vehicle to obtain additional evidence.

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2. Advise the suspect of his constitutional rights by reading the Agency Warning and Waiver of Rights (Interview Form) and have them sign it.
 3. If suspect waives their rights, conduct video/audio taped interview regarding the sexual battery.
- O. The investigator will conduct all necessary follow-up procedures as provided in this directive to include a detailed Supplemental Report.

602.14 Sexual Battery, (Child Victims), Investigation Procedures - Investigators assigned to conduct follow-up investigations involving sexual battery of children will adhere to the following procedures when appropriate.

- A. Ensure that the DCF has been notified in the case of familial abuse situations.
- B. The Child Protection Team, (CPT), should be consulted for a variety of services available to law enforcement. These services include forensic interviews, medical examinations, mental evaluations and counseling and coordination with the Department of Children and Families.
- C. In most cases victims age twelve and under should be interviewed by a CPT Case Coordinator. This allows for consistency in child interviews. The Investigator should make every attempt to attend this interview for the purpose of monitoring victims' disclosure and to assist the CPT interviewer with investigative input. The interview should address the elements of the crime as well as confirming jurisdiction if questionable.
- D. Children over the age of twelve should be interviewed by a law enforcement investigator. This allows for the victim to provide sworn testimony. If not already assessed by the first responding law enforcement officer, it should be determined if the allegations disclosed require medical examination by the CPT medical staff. The CPT staff will normally coordinate this effort.
- E. Ensure that the crime scene is processed completely to include seizing all physical items of evidentiary value (i.e. fibers, hair, bodily fluids, clothing of the victim and offender, bed sheets, cushions or carpet samples as deemed necessary). The crime scene should also be photographed using digital photography.
- F. All evidentiary items will be submitted to the Property and Evidence Unit utilizing procedures set forth by existing policy. Any items requiring processing should be forwarded to the Agency Crime Scene Technicians or to the Florida

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Department of Law Enforcement evidence-processing laboratory depending on the procedure required.

- G.** If there is evidence of the use of a computer for child exploitation or solicitation for sex a search warrant will be obtained and the computer seized for its evidentiary value as well as to corroborate the victim's statement.
- H.** Conduct other investigatory measures used to collect information of evidentiary value such as controlled telephone calls, search warrants, subpoenas for phone records or computer internet records.
- I.** If the offender does not have familial contact with the victim, he/she should be identified by the victim either having personal knowledge of the offender or through photographic line-ups. If the offender is not identified by the victim, a suspect composite should be done.
- J.** Conduct interviews with any witnesses, including the person who received the first disclosure from the victim. This will serve to corroborate the victim's allegations.
- K.** When applicable, consult the Sexual Offender Management Officer to determine if a person fitting the suspect description may be a registered sex offender/predator.
- L.** Contact the Public Information Officer for release of information and suspect composite.
- M.** Interview the suspect. A videotape and audio-recorded interview is preferred.
- N.** If the suspect is arrested, the investigator will be responsible to ensure the suspect is properly booked, processed and transported to jail.
- O.** The investigator will prepare detailed supplemental report per procedure previously mentioned in this manual.

602.15 Physical Child Abuse - This procedure will apply to all investigators assigned to investigate Child Abuse allegations.

- A.** Preliminary investigations are conducted by uniform USD officers under the guidelines set forth in [OMA 502](#).

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- B.** The investigator will commence their investigation immediately upon receiving the case report. The investigator may be required to respond to the scene to provide assistance to the investigating USD officer.
- C.** After reviewing the Offense Incident Report as submitted by the USD officer, contact should be made with the child's parent or guardian so long as that person is not the alleged perpetrator.
- D.** Coordination with the DCF and the Child Advocacy Center/Child Protection Team, (CPT), should be commenced at the outset.
- E.** The child will be interviewed on videotape. In most cases victims under the age of 12 should be interviewed by a CPT Case Coordinator. This allows for consistency in child interviews. The Investigator should make every attempt to attend this interview for the purpose of monitoring the victim's disclosure and to assist the CPT interviewer with investigative input. The interview should address the elements of the crime as well as confirming jurisdiction if questionable. Children 12 years of age and older should be interviewed by a law enforcement investigator. This allows for the victim to provide sworn testimony.
- F.** If applicable, the child will be medically examined by personnel from the CPT. This is typically conducted at the CPT offices. However a hospital examination may have been completed at the time of the initial offense report. If this is the case, CPT may offer additional services and follow-up care.
- G.** Ensure that Crime Scene Technicians photographically document any physical injuries to the child. Proper photographs taken with the use of a scale in the photograph are necessary. Photographs of physical injuries should be taken again within 2-3 days of the first photographs so that a pattern of healing can be documented.
 - 1.** Ensure that the crime scene is/has been processed if necessary. Any items used to cause physical injury to the child should be seized, (i.e. belts, extension cords, paddles, etc.).
 - 2.** If a search warrant is necessary it should be coordinated with the supervisor and the SAO Child Abuse/Sex Crimes Unit. Proper procedures should be utilized in search warrant execution.
- H.** All witnesses or any persons with pertinent information regarding the allegations should be interviewed on audiotape and/or videotape.

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- I. Interview the perpetrator. This should be done on videotape in its entirety. Make a clear determination as to whether the interview is custodial or non-custodial in nature.
- J. If an arrest is made the investigator will be responsible to ensure the suspect is properly booked, processed and transported to jail.
 - 1. If an arrest is made the investigator will notify DCF and the CPT case coordinator.
 - 2. This is done to ensure proper flow of information.
- K. Upon completion of the investigator's case report he/she will include copies of all video and audio recordings as well as digital photographs of the child's injuries in the packet sent to the SAO Sex Crimes/Child Abuse Unit for review.

602.16 Elderly/Disabled Adult Abuse and Neglect Investigation Procedures - This procedure will apply to all investigators assigned to investigate Elderly/Disabled Adult Abuse Allegations.

- A. Preliminary investigations are conducted by USD officers under the guidelines set forth in [OMA 502](#).
- B. The investigator will commence their investigation immediately upon receiving the case report. The investigator may be required to respond to the scene to provide assistance to the investigating USD officer
- C. After reviewing the Offense Incident Report as submitted by the USD officer, contact should be made with the victim's caregiver guardian so long as that person is not the alleged perpetrator.
- D. Coordination with the DCF should be commenced at the beginning.
- E. If possible, the victim will be interviewed. This interview should be audiotape and/or videotape recorded. If the victim is not competent to be interviewed, other proper documentation is essential.
- F. If applicable, the victim will be medically examined to determine the extent of any injuries and/or mental status.
- G. Ensure that Crime Scene Technicians photographically document any physical injuries to the victim. Proper photographs taken with the use of a scale in the photograph are necessary. Photographs of physical injuries should be taken

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again within 2-3 days of the first photographs so that a pattern of healing can be documented.

1. Ensure that the crime scene is/has been processed if necessary.
 2. Any items used to cause physical injury to the elderly person should be seized.
 3. In addition photographic documentation of the victim's living environment is essential especially if the victim has been neglected.
 4. If a search warrant is necessary it should be coordinated with the supervisor and the SAO.
 5. Proper procedures should be utilized in search warrant execution.
- H. All witnesses or any persons with pertinent information regarding the allegations should be interviewed on audiotape and/or videotape.
- I. Interview the perpetrator. This should be done on videotape in its entirety. Make a clear determination as to whether the interview is custodial or non-custodial in nature.
- J. If an arrest is made, the investigator will be responsible to ensure the suspect is properly booked, processed and transported to jail.
1. If an arrest is made the investigator will notify the DCF Adult Services Protective Investigator.
 2. This is done to ensure proper flow of information.
- K. Upon completion of the investigator's case report he/she will include copies of all videotapes and audiotapes as well as digital photographs of the victim's injuries/living conditions in the packet sent to the SAO for review.

602.17 Unattended/Suspicious Death Investigation Procedures - Investigators assigned to conduct follow-up investigations involving unattended/suspicious deaths will adhere to the following procedures when appropriate. The following types of deaths are considered unattended/suspicious death and Medical Examiner's cases.

- A. A natural death is where a doctor will sign the death certificate and will normally be investigated by USD officers at the scene. There are instances such as

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advanced putrefaction and questionable circumstances when the USD officer will request assistance or the deceased doctor will not sign the death certificate. If the investigator is called to the scene, he/she should assume the responsibility for continuing the investigation. Once the case becomes a Medical Examiner's case, an ID investigator will respond to conduct the follow up investigation.

- B.** In cases of unclassified or suspicious deaths, the investigator should investigate the death as a homicide, using the same procedures as outlined under the operating procedure governing homicides. In these cases, the presence of the M.E. or his designee at the scene can be of value.
- C.** An Investigator/Crime Scene Technician from ID investigating an unattended/suspicious death as described above will assist the M.E.'s Office with regard to the following:
 - 1. Notifying the next of kin if not already done.
 - 2. Fingerprint and identification of the body.
 - 3. Assist the family of the deceased with closure by answering questions and supplying information regarding the cause of death.
- D.** The investigator will prepare detailed supplemental report per procedure previously mentioned in this manual.

602.18 Economic/Financial Crime Investigation Procedures - This procedure will apply to all investigators assigned to investigate economic/ financial white-collar crimes. Investigations will be assigned to an investigator in the Major Crimes Unit. All fraud cases not meeting the below criteria will be investigated by SOD.

- A.** Investigators from MCU will investigate cases in the following areas:
 - 1. Exploitation (Financial) of the Elderly/Vulnerable Adults.
 - 2. Assigned cases.
 - 3. Fraud where reported loss is greater than \$5000
- B.** Upon receipt of the case the investigator will ensure that all necessary documents for prosecution have been obtained (e.g. forgery affidavit, teller affidavit, victim statement(s), etc.).

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- C. The investigator will check for suspects that may have been arrested or developed and evidence recovered by USD.
- D. The investigator will check suspect(s) through NCIC/FCIC, Bullet, records management and other computer information systems currently available.
- E. The investigator will contact the victim and confirm the information on the original report and ascertain any additional information necessary for successful prosecution.
- F. The investigator will attempt to locate and interview witnesses and obtain statements if possible.
- G. The investigator will attempt to locate the suspect(s) for interview purposes.
- H. If the investigator develops sufficient probable cause, he/she will either make a physical custody arrest or file for an arrest warrant in accordance with arrest policy.
- I. The investigator will be a liaison between the banks and financial institutions in the community and attend economic crimes meetings.
- J. The investigator will liaison between Federal agencies (i.e., FBI, US Secret Service, IRS). The investigator will forward all counterfeit money to the US Secret Service if there is not a pending trial or workable suspects.
- K. The investigator will prepare detailed supplemental report per procedure previously mentioned in this manual.

602.19 Kidnapping or False Imprisonment (to include custody offenses) - The follow-up investigation will include:

- A. Obtain briefing from the first responding officer and other on-scene personnel.
- B. Decide if evidence best supports a kidnapped or missing person is runaway, custodial taking or predatory abduction.
- C. Ensure that the Amber plan has been activated and/or updated with any current information obtained during the follow-up investigation.
- D. Activate the Child Abduction Response Team (CART) if there is a clear indication that a child under the age of 18 has been abducted by other than a parent or guardian, or is missing under suspicious circumstances.

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- E. Ensure that "A Child is Missing" (ACIM) is activated.
- F. Ensure that details of the case have been reported to NCMEC.
- G. Maintain contact with the reporting party to receive and/or impart additional information.
- H. Determine what additional resources and specialized services are required.
- I. Conduct an inquiry into locally registered sex offenders and predators.
- J. Prepare and update bulletins for local law-enforcement agencies, and other appropriate agencies.
- K. Ensure that a neighborhood canvass is conducted.
- L. Collection and preservation of evidence to include; securing missing person's hairbrush, diary, items with missing person's fingerprints, DNA computer/disks, footprints.
- M. Modification and/or removal of data from FCIC/NCIC as received, or required by regulation. Any employee receiving a report that requires such modification or removal will complete a supplemental report and immediately notify the Records Section; a copy of the report will be forwarded to the assigned investigator.
- N. Secure missing persons latest dental and medical records.
- O. Establish a telephone hotline for receipt of tips and leads.
- P. Establish a leads-management system to prioritize leads and help ensure that each one is reviewed and followed up on.
- Q. Special attention will be given to reports of missing persons who are juveniles, elderly, infirm, or otherwise impaired.
- R. Contacting a victim, complainant or witness for a second time, after the lapse of several days, may result in the receipt of information leading to the resolution of a case, and should be attempted whenever possible. Victims of crimes have an expectation that they will be kept informed of the status and progress of an investigation.

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602.20 Search Warrants - The Criminal Investigations Division will follow General Order 219 relating to Search Warrants. [GO 219](#)

602.21 Supervisors Responsibilities & Procedures - This procedure will apply to all CIS supervisors mandated to manage and supervise all criminal investigations assigned to investigators.

A. Assignment of cases:

1. Case screening and quality control. Supervisors will screen incoming reports to determine if the case should be assigned to an investigator. The decision will be based upon one or more of the following:

a. The case falls under the investigative purview governed by CID [GO 602](#).

b. Solvability factors.

- Suspects are known.
- Known modus operandi linked to previous offenders.
- Vehicle tag or distinctive vehicle description.
- Distinctive property or serialized items.
- Fingerprint hits through AFIS.
- Any other tangible evidence that can be linked to a known suspect.

c. Severity of crime (example: homicide, sexual battery, robbery, etc.)

2. Input into Case Management - The supervisor will input all assigned cases into the Case Management database. Upon receiving a final disposition from the case investigator, the supervisor will remove the case from the active case files.

3. Review case files - Supervisors will review investigators' case folders **monthly** to ensure the following:

a. The case is being thoroughly investigated.

b. Proper reports are being completed in a timely manner.

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- c. Review the case with the investigator periodically to keep current on the status of the case and to make recommendations.
 - d. Coordinate the investigation if more than one investigator is needed.
 - e. Keep the Investigations Division Commander aware of major cases or cases of a sensitive nature.
- 4. Review suspended/cleared cases** - Supervisors will review cases closed/cleared by an investigator to assure the following:
- a. Assure that the case has been thoroughly investigated and the final disposition is accurate.
 - b. The supervisor will timely review, edit, and sign supplemental reports and other generated paperwork originated by his/her personnel and forward the respective paperwork to the Records Unit.
 - c. If an arrest has been made, assure that the investigator cooperates in achieving a successful prosecution.

B. Other Duties

- 1. The supervisor will make recommendations for any additional or specialized training that is needed.
- 2. The supervisor will ensure that equipment issued to the investigators is properly cared for and available. The supervisor will request through proper channels any needed equipment for subordinates to properly and safely perform their job functions.
- 3. The supervisor will provide active and direct supervision in the execution of search warrants and will notify other division supervisors prior to service.
- 4. The supervisor will respond to all major crimes and incidents and will assure that adequate manpower is assigned and that the case is properly investigated.
- 5. The supervisor will evaluate the work performance of the personnel under his/her direct supervision by meeting with the employee and making appropriate entries in the employee's performance log and completing an annual performance evaluation as provided in [GO 406](#).

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6. The supervisor will keep the Investigations Division Commander informed of the status of all notable events/cases. The supervisor may be required to attend weekly Senior Staff Meetings, and other briefings to inform the Chief, Staff and other Agency members of case information and progress reports.
 7. The supervisor will approve or disapprove leave requests for his/her personnel.
 8. The supervisor will approve or disapprove training requests for his/her personnel after review with the IDC.
 9. The supervisor will assist other supervisory CID personnel in times of vacation, sick or unusual incidents.
 10. The supervisor will assist in the annual budget preparation by submitting goals and objectives for their assigned areas of responsibilities.
 11. The supervisor will maintain the computerized schedule of every subordinate under his/her command and promptly post any leave requests, training or special assignments with the Division secretary.
 12. The supervisor will assist with the selection of new investigators as defined in Intra-Agency Lateral Assignments [GO 410](#).
- C. Assign personnel based on expertise** - Serious criminal cases are best investigated by personnel with specialized skill, knowledge, and experience. The most capable investigators who possess these qualifications will be assigned to specialized investigations such as homicides, arson, bombs, sexual battery, child abuse, economic crimes, etc.

602.22 Fingerprint Identification, (FI), Unit

A. Responsibilities

1. Maintains the 10 print files that are filed alphabetically in the Identification Unit.
2. Maintains Name File for criminals on the department database.
3. Processes requests from other agencies.

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4. Enters eligible latent prints into the Automated Fingerprint Identification System.
5. Conducts analysis of latent fingerprint cards for value.
6. Compares latent fingerprints of value to known standards of criminals from the card file.
7. Complies with Orders to Seal/Expunge and requests from other agencies.
8. Prepares reports.
9. Testifies in court proceedings.

B. Fingerprinting Card Process Procedures

1. The Fingerprint Identification office secretary receives the known fingerprint standards from the Uniform Services Division.
2. The office secretary enters the criminal information into database to include name; date of birth; sex; race; tattoos; criminal charges; date of arrest, etc.
3. The office secretary files the fingerprint cards alphabetically with consideration for male, female, and whether the person is a juvenile.

C. Latent Print Card Process

1. Latent Fingerprint Cards are placed in the designated envelope by either the officer or crime scene investigator. The envelope is filled out completely and placed in the secured drop box. The officer or CST will ensure that the Latent Fingerprint Cards are completed on the back to include the date; case number; incident type (crime); victim's name; physical address; location where latent was lifted from; name of collecting officer or CST and badge number. A direction indication symbol may also be included on the latent print to provide further information about the location of where it was collected.
2. The Latent Fingerprint cards are collected by the Agency Latent Fingerprint Examiner from the secured drop box.
3. The Latent Prints are examined for value.

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4. Latent Prints that have “no” evidentiary value or comparison value are maintained in the Latent Fingerprint File that is located in the Fingerprint Identification Unit.
5. Latent Prints with sufficient value will be entered into the Automated Fingerprint Identification System to be searched for a possible suspect match.
6. The Latent Fingerprint Examiner will compare latents to known standards from various suspects as a result of a list of possible candidates from the AFIS machine or from other requests.
7. Suspect information and requests for analysis will be placed on the Agency “In-House Lab Request” form. The officer or CST will complete the form and provide it to the unit supervisor for assignment.
8. At the completion of Latent Print Card analysis; print cards that are identified to a suspect will be placed in Property and Evidence pending court proceedings. All other cards will be maintained in the Latent Fingerprint File.

D. Security

1. Key Control

- a. There is key control and limited access to the Fingerprint Identification Office
- b. Key control is limited to personnel assigned to the unit, the Investigations Division Commander and FI Office Supervisor
- c. Access to office door - The following personnel have access to the office door:
 - Primary Fingerprint custodian
 - FI Office secretary
 - Division Commander
 - FI Unit Supervisor
- d. Access to 10 Print Card File is limited to the Latent Fingerprint Examiner.

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- e. Access to Latent Fingerprint File is limited to the Latent Fingerprint Examiner

2. After Hours Entry Control

- a. Access is limited to authorized personnel
- b. The Primary Latent Fingerprint Examiner will be notified and respond for after hour access. The FI supervisor or ID commander may also have access if the Examiner is not available.

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603 Purpose - To establish operational procedures for investigations within the Special Investigations Unit.

603.1 Components - The Special Investigations Unit may be subdivided into one or more units with one supervisor and a maximum of 7 sworn members (titled as “agents”). Each Special Investigations Unit (SIU) will have specific investigative functions assigned but may assist other units in the Special Operations Division

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or other Department components as assigned by the Special Operations Division Commander or designee.

603.2 Responsibilities - The Special Investigations Unit is responsible for the investigation of the following types of cases:

- A. Gambling operations - Agents will be familiar with [Florida State Statute 849](#).
- B. Prostitution - Agents will be familiar with [Florida State Statute 796](#).
- C. Adult Entertainment Law and/or Ordinance violations - Agents will be familiar with [Palm Bay City Ordinance Chapter 173](#).
- D. Commercialized vice activities.
- E. Narcotics possession, sales, smuggling operations, trafficking and related activities - Agents will be familiar with [Florida State Statute 893](#).
- F. Organized crime activities.
- G. Gang activity and Intelligence - Agents will be familiar with [Florida State Statute 874](#) in combination with members of the Youth Services Unit.
- H. Money laundering violations - Agents will be familiar with [Florida State Statute 896](#).

603.3 Assignment of Investigations

- A. **Authorization** - No investigation into any matter will be conducted by an agent of a Special Investigations Unit **except**:
 - 1. Upon assignment through a Special Investigations Unit Supervisor, or the Special Operations Division Commander.
 - 2. Upon assignment by the Chief of Police.
 - 3. Upon receipt of information that indicates a criminal investigation is warranted, and then only on the expressed authority of the SIU supervisor, or the Special Operations Division Commander or designee.
- B. **Outside City Limits** - Investigations or surveillance will not be conducted outside the city limits of Palm Bay without being approved and directly monitored by a Sergeant or higher rank.

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C. Outside County - No investigation or surveillance will be conducted outside the boundaries of Brevard County without notifying the SOD Lieutenant or above.

D. Criminal Activity Report - No investigation will continue beyond the preliminary stage without the case investigator requesting a DR number.

E. Follow-up Assignment - The SIU supervisor will assign the case to an agent for a follow-up investigation.

603.4 Case Management - This section provides guidelines for the distribution, assignment, management and tracking of special investigations for which the Special Investigations Unit has responsibility. **Only SIU personnel, supervisors, the Special Operations Division Commander and the Chief of Police have access to active confidential investigations files.**

A. Criminal Activity Reports

1. When the SIU Sergeant receives a lead that needs to be investigated, he will advise the assigned Investigator and the Crime Analyst.
 - a. If the information is deemed credible, a DR number will be assigned as necessary and the Investigator will complete the investigation until all leads are exhausted or an arrest is made. Upon completion of the case, the Crime Analyst will review the file and input all pertinent information into the HTE reporting system.
 - b. If the information is not deemed credible, a brief synopsis will be forwarded by the Investigator to the SIU Sergeant and Crime Analyst. The SIU Sergeant will confirm all leads have been exhausted and the Crime Analyst will enter the information will enter the information in the HTE reporting system at which time the case will be deemed "closed".

B. Case Designations

1. **Designations** - Every assigned case will be designated **pending, unfounded, suspended, exceptionally cleared** or **cleared by arrest (CBA)**, reflecting internal administrative categories designated to assist in the case management and control.

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2. **Pending** - A pending case status indicates that the case is assigned to an investigator and is in the process of being actively investigated. These cases will be classified as "PENDING."
3. **Suspended** - A suspended case status indicates that all investigative leads have been exhausted and no further investigation will take place until further investigative leads unfold. The following is the criteria for case suspension:
 - a. Supervisors will evaluate the solvability factors and the seriousness of the cases. When the solvability factors and seriousness of the crime are considered together, the supervisor will use this information to determine what cases to assign.
 - b. Supervisors will regularly re-evaluate active case investigations, utilizing any additional facts and information to update the case's assignment value.
4. **CBA, Exceptionally Cleared, Unfounded** - All other case classifications indicate the case is no longer being actively investigated because a satisfactory conclusion has been reached and includes those cases where official dispositions are: cleared by arrest, exceptionally cleared, unfounded.

603.5 Case Files

- A. **Confidentiality** - All members will treat as confidential the operations of the Special Investigations Unit. They will not impart information regarding SIU business to anyone except those for whom it was intended or, as directed by the Special Operations Division Commander or designee, Chief of Police or his designee, or under due process of law.
- B. **Sensitive Information** - All SIU investigations, files, written reports, videotapes and audio tapes are designated as sensitive whether or not the actual documents are marked. Such reports are to be kept in a secure location or not left unattended on desks or work areas.
 1. On the inside left cover of the file folder is the case assignment sheet. The case assignment cover sheet is to be considered confidential and is to be released only with the authorization of the SIU supervisor. Also on the left side of the folder will be a seizure form detailing all seizures in the case. A case management tracking form will also be completed detailing activity and time spent.

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2. The right side of the file contains all investigation reports and documents.

C. Original Documents - No original documents will be maintained in the investigator's file for closed or inactive cases. Originals are to be forwarded to the SIU supervisor upon completion of the case, with the exception of the Offense Incident Report, which will be turned into Records Unit on the day in which the DR number is obtained.

D. Original Recording Materials - All original tapes, photographs, etc., are to be copied if necessary and the originals turned into the P & E as soon as possible.

E. Original Documents - All original documents on active investigations will be maintained in the SIU agents' files under strict controls (except as in C above).

F. Destruction Procedures - The purge and destruction of confidential files, other written or printed information and audiotapes and videotapes of a confidential nature will be handled in the following manner:

1. A Records Disposal Notice will be completed and approved.
2. The confidential files will be destroyed only by an authorized representative of the Department's Records Management Unit.
3. All criminal history computer printouts from NCIC/FCIC will be considered confidential information and destroyed pursuant to current City Policies and Procedures and Public Records Law.
4. A copy of the Records Disposal Notice, complete with date of destruction of the confidential files and person assigned to the destruction, will be placed in the confidential file case management system.

603.6 Confidential Investigative and Evidence Funds - All SIU members issued confidential funds will adhere to the procedures provided in Confidential Investigative and Evidence Funds General Order [GO 606](#).

603.7 Investigations in General - These investigative steps should be followed in sequential order in all case investigations:

A. Criteria to Investigate - No investigation on any person or persons will be initiated unless there is reasonable suspicion that the person or persons have

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violated, are violating, or about to violate one or more of the criminal offenses as specified in section [603.2](#).

- B. Source Contact** - The agent will attempt to contact the source of the complaint for additional information unless the source is anonymous. The agent will run a complete criminal history and intelligence check on both the source and the person or persons involved in the criminal activity.
- C. Other Law Enforcement Agencies** - The agent will contact other law enforcement agencies that may have had contact with the source to determine if the source was, or is reliable or possibly discredited.
- D. Sworn Statement** - Whenever possible, sworn statement, either in writing or recorded, will be obtained from the source regarding any information he/she may supply regarding criminal activity. In all cases where the source's information is to be used as the primary facts in the probable cause for search warrant or custodial arrest, a sworn statement will be obtained **before** the information is used to draft a search warrant or execute an arrest. **EXCEPTION: If the Office of the State Attorney and the Special Operations Division Commander or designee approves the use of the information without a sworn statement. A sworn statement may be obtained on audiotape, videotape, or in writing under oath. If an audiotape or videotape, the statement will be transcribed to writing as soon as possible.**
- E. Case File** - The agent will maintain a case file on all assigned investigations. All original reports, correspondence, photographs, etc., will be maintained in the original case file until required by the Records Unit and then copies of those original documents will be maintained in the agent's case file that will be stored in SIU.
- F. Confidential** - All information related to the case investigation will be considered confidential and will not be divulged to any person, including law enforcement personnel, unless the information meets the requirements for confidential information dissemination.
- G. Surveillance** - The Agent will conduct covert surveillance on the suspect or suspects involved in the criminal activity. Detailed surveillance logs will be completed. Whenever possible, photographs will be taken of the suspects(s), their home(s) and vehicle(s) as part of the covert surveillance field operation. See [GO 608](#). These actions will confirm target location for possible undercover operations.

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- H. Confidential Informants** - If the Agent uses a confidential informant as a covert agent in the investigation, the procedures outlined in this section will be followed. **The confidential informant (CI) will be properly documented and his/her use will comply with [GO 607](#) governing the use of confidential informants.**
- I. Supervisor Approval** - All field operations involving the use of a confidential informant must be pre-authorized by the SIU supervisor. All undercover operations must be pre-authorized by the SIU supervisor.
- J. CI Management** - The case agent will be responsible for instructing and managing the CI. The CI will not be passed around from case agent to another to work multiple cases unless prior approval is obtained from the SIU supervisor and Special Operations Division Commander or designee.
- K. Surveillance and Backup** - The case agent, and at least one additional agent, will be present for surveillance and backup, in all covert operations where the CI will attempt to purchase illicit drugs, or obtain critical evidentiary information through a meeting with a targeted suspect or suspects. If a police officer is undercover with the CI for the meeting with targeted suspect(s), a minimum of **three back-up**, surveillance officers will be used.
- L. Officer-in-Charge** - Prior to conducting surveillance, decoy, or undercover operations, a single person will be designated to command the operation. That person will be known as the "officer-in-charge". The officer-in-charge will notify the on-duty Uniform Services Division commander of the operation activities, as appropriate.
- M. Action Plan** - Before putting an undercover operation into motion, all participants will develop a **written** plan of action to include contingency plans for unexpected occurrences. Secret signals will be prearranged between undercover officers and the surveillance teams. These signals will be verbal and visual. Surveillance teams will maintain a vantage point that will allow them to maintain a visual contact with the undercover operative, if possible. Surveillance teams will take note of who enters the target location and who leaves the target location, as well as descriptions of any vehicles in which they arrive. The undercover operative should always try to move slowly to cause such delays as may be necessary for the surveillance officers to maintain contact. A change of location should be made only if there is a strong probability that the surveillance teams will be unable to follow. The CI or the undercover police officer will be outfitted with an operational hidden body radio transmitter during all meetings with targeted suspects for the purpose of purchasing illicit drugs, or obtaining critical evidence. If the safety

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of the CI or the undercover officer would be compromised because the targeted suspect(s) are known to search his drug buyers, the case agent may request in a written case supplement to waive the wearing of a hidden transmitter by the undercover operative. The SIU supervisor and Special Operations Division Commander or designee must give prior approval to the request and document the approval in a written case report supplement. If available, a GPS tracking unit will be placed in any vehicle that will be used by the undercover officer or CI. One of the surveillance officers will monitor this unit.

- N. Communications** - Before any agent goes into an extended undercover operation, arrangements for communications with the Department and fellow officers will be devised. One officer or supervisor will be responsible for communication between the undercover officer and the Department. Tentative times for contact should be established. The officer's family should be instructed to use this contact person if an emergency should arise. A maximum length of time without contact will be established. Criteria must be established for termination of the investigation. The criteria should include goals for completion of the investigation and indications that the officer may be in trouble - such as not in contact for a given length of time.
- O. Plan Review** - During the pre-buy meeting, the undercover agent will thoroughly review his/her plans with the informant and the surveillance teams. The agent will pay close attention to his/her relationship with the suspect's negotiated price, method of delivery and proposed cover story. The informant will be briefed on what to say and do during contact with the suspect. Throughout the pre-buy briefing, the agents will not allow the informant to learn more about the plans than that, which is necessary. Agents should realize that the more knowledge an informant has on how the unit works its cases, the more effectively he/she can use this information against the unit later.
- P. Informant/UCO/ Briefing** - In all covert case investigations, the case agent will brief and instruct the CI and undercover officer, if used, on the undercover scenario, safety precautions use of transmitter and other pertinent information before the covert meeting with the target suspect(s) is conducted.
- Q. Recorded Conversations** - All telephone conversations between the undercover operative and the target should be recorded on audiotape.
- R. Controlled Buy** - Covert operations may require the use of confidential informants during a controlled buy of illicit drugs if an undercover officer cannot get in to purchase the illicit narcotics from the target. In all controlled

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buy investigations, the case agent will thoroughly strip search the CI and his/her car just before the meet and right after the meet with the target. A Controlled Buy form will be completed Controlled Buy Form. Drugs obtained will be properly packaged, documented and forwarded to the P & E Unit before the agent goes off duty. The SIU supervisor, due to extenuating circumstances, may grant exceptions, with an extended deadline. Surveillance units should maintain a constant visual on the whereabouts of the CI. The CI will meet the agent at a predetermined location after the buy. The CI will be debriefed about the meeting or transaction with the suspect.

- S. Refrain from Alcohol/Drugs** - Whenever possible, undercover agents should refrain from consuming alcohol. The ingesting, inhaling or injecting drugs is strictly prohibited, whether in an undercover capacity or not, **except** when there is **a well founded fear by the covert CI or officer that they are facing an imminent danger** from the target or associates unless they consume the drugs. The agent or confidential informant will notify their immediate supervisor as soon as possible if they are required to consume drugs. The incident will be documented in a supplemental report with the CI's, or agent's, justification for the immediate safety concern. The supervisor will ensure that medical treatment is provided to the member and complete the First Notice of Injury report immediately. The supervisor will notify the Special Operations Division Commander or designee.
- T. Criminal Acts Prohibited** - While acting in an undercover/covert role, neither the informant nor the agent will commit a criminal felony. If at all possible, no criminal acts will be committed. Obviously, the sale and possession of controlled substances is an element of the investigation, and as long as the guidelines provided in this directive are followed, it is permitted as provided for in 893.13(9) FSS. As in "R" above, if the circumstances dictate, an agent or informant who has a well founded fear that they are facing an imminent danger from the target or associates, a criminal act may be necessary for their safety as long as it does not cause harm to another person. The informant and/or agent will inform the immediate supervisor as soon as possible and document the incident. The immediate supervisor will take the appropriate follow-up action and notify the Special Operations Division Commander or designee.

603.8 Management of Confidential Informants - See [GO 607](#)

603.9 Decoy Operations - See [GO 608](#)

603.10 Reverse Sting/Controlled Substance Sign-Out Procedures - The purpose of this section is to establish guidelines for the safe handling and effective tracking

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of “reverse sting” controlled substances through strict sign-in/sign-out procedures and security measures for the controlled substances utilized by the Special Investigations Unit.

A. General Procedures

1. The purpose for conducting reverse stings is to enforce current laws regulating the use and sale of controlled substances.
2. The objective is to seize drug related assets from criminals, charge them with the criminal statutes(s) they are in violation of and prepare and file the case with the Brevard County State Attorney’s Office, or the United States Federal Prosecutor’s Office.
3. The Brevard County Drug Investigations Guidelines will be adhered to unless procedures defined herein have more restrictive application. REVIEW the Brevard County Drug Investigations Guidelines
4. No controlled substances will be retained in the possession of an agent longer than is necessary to complete the targeted investigation in which the contraband is required. The controlled substances will not be left unattended or unsecured at any time.
5. The targeted suspect will have to have shown a clear intent to purchase the controlled substance and/or have a documented pre-disposition of controlled substance offenses. **EXCEPTION: “Street reverses” where undercover officer(s) pose as street-level dealers to sell smaller quantities of drugs. In these types of investigations, the officer(s) will have to have conducted a prior assessment and document a clear pattern of “open market” sales of controlled substances in the same area that would make these types of investigation necessary and practical.**
6. The officer(s) or confidential informant will not force, coerce or entice the suspect(s)/target(s) into purchasing the controlled substance. The officer(s) will merely provide an alternate source for the controlled substance(s) the suspect(s) could purchase from other sources.
7. The agent will request the necessary controlled substance by submitting a completed Controlled Substance Request (CSR) form to the supervisor. The agent will submit a copy of the case report narrative or memo to the case file, which will outline the suspect(s) “clear intent/pre-disposition” criminal history, etc., with the CSR form.

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- a. The SIU supervisor will review and approve/disapprove the request. The SIU supervisor will forward the request to the Special Operations Division Commander or designee, if approved, or return it to the agent for additional information if disapproved.
 - b. The Special Operations Division Commander or designee will review and approve/disapprove the request.
 - c. If the request is disapproved, the request will be returned to the requesting agent through the chain of command.
8. If approved, and the controlled substance(s) requested are available in the P & E Unit as "slated for destruction" storage, and the drugs have been tested by FDLE and confirmed as the specified controlled substance requested, the SIU supervisor will submit a memo of approval thru the chain-of command to the Chief-of Police.
 9. If the controlled substance(s) requested are not available in the P & E Unit, the Special Operations Division Commander or designee, with the approval of the Chief of Police, may authorize obtaining the controlled substance(s) from another agency.

B. Controlled Substance(s) Sign-out Procedure

1. Protective gloves will be worn when possible while handling controlled substances.
2. The contraband requested will be inspected for packaging integrity and weighted to the nearest tenth of a gram on State of Florida certified scales by the supervisor checking out the controlled substances(s) and witnessed by the agent receiving the controlled substance. (If there are any appreciable discrepancies in the weights of the controlled substance(s) it will not be utilized until the discrepancies are investigated.)
3. The supervisor signing out the controlled substance will complete the "contraband received" block of the CSR form through the "issued by" line.
3. The agent receiving the controlled substance will complete the "received by" line in the "controlled received" block.
4. A copy of the signed Controlled Substance Request (CSR) form (completed through the "contraband received" block) will be placed in the

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SIU controlled substance safe log book, the case file, and the SIU controlled substance log book file (duplicate of safe log) at the SIU office. A copy of the CSR form will also be forwarded to the Special Operations Division Commander or designee.

5. The SIU safe log will be completed dated and initialed by the agent receiving the controlled substance and the supervisor signing out the controlled substance.

C. Controlled Substance(s) Sign-in Procedure

1. The supervisor signing in the controlled substance(s) (being returned) will review the case report and inspect the contraband's packaging to determine if the original packaging has been tampered with.
 - a. If the packaging integrity is intact, then no purity test or further investigation is necessary.
 - b. If the integrity of the original packaging of the controlled substance(s) has been violated and the controlled substance(s) is a type of drug (cocaine, heroin, etc.) that can be diluted with other substances, then the controlled substance(s) or small sample will be sent to the FDLE crime lab for a qualitative (purity) analysis to compare with original purity tests.
 - c. If the controlled substance(s) being returned is a type of drug that cannot be easily diluted with other substances (cannabis, pharmaceutical pills, etc.) and the integrity of the packaging has been violated and is properly documented in the case report and the weights, numbers, etc. are correct, the controlled substance(s) may be properly repackaged and signed in with no additional investigation.
2. The controlled substance(s) being returned will be weighed to the nearest tenth of a gram on State of Florida certified scales by the supervisor signing in the controlled substance(s) and witnessed by the agent returning the controlled substance(s).
3. The supervisor signing in the controlled substance(s) will complete the "contraband returned" block of the CSR from including the "received by" line.
4. The agent returning the controlled substance(s) will complete the "returned by" line in the "contraband returned" block.

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5. The SIU safe log will be completed, dated and initialed by the agent returning the controlled substance(s) and the supervisor.
6. The original Controlled Substance Request (CSR) form will be forwarded to the Records Unit with the case file and completed copies of the CSR form will be placed in the SIU controlled substance safe logbook and the SIU controlled substance logbook file (duplicate of safe log) at the SIU office. Additionally, a copy of the CSR form will be forwarded to the Special Operations Division Commander or designee. If the controlled substance package has been tampered with as described in section C 1(b), above, a supplemental report will be submitted from the case agent detailing the circumstances or reason for the open packaging.
7. At the conclusion of the sign-in procedure, if the controlled substance(s) is now evidence in a case, the controlled substance(s) will be submitted to the Department Property and Evidence Unit (per Department procedure) by the agent and the supervisor signing in the controlled substance(s) will note this on the Special Investigations safe log. The Special Operations Division Commander or designee will be notified.
8. If at any time during the investigation, any of the officers or supervisors involved in the investigation has reason to believe that the controlled substance(s) have been tampered with, diluted, mishandled, misappropriated, etc. they will immediately notify the Special Operations Division Commander or designee.

D. Controlled Substance(s) Security

1. All controlled substances which are signed over to the Special Investigations Unit to be utilized for "reverse sting-type" investigations will be secured in the Special Investigations Unit controlled substance safe located in the SIU office or in the secure drug storage area of P&E.
2. Security, accountability and control of controlled substances that have been signed out by agents will be the responsibility of the agent. At no time will controlled substances be left unattended or unsecured as specified by this directive or as directed by the Special Operations Division Commander or designee, in special circumstances.
3. Drugs checked out of Property and Evidence will not be held out longer than **72** hours without the Special Operations Division Commander or designee written approval.

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4. At no time will investigators take controlled substances home or simply lock them in a desk drawer, file cabinet, vehicle, etc.
 - a. Large quantities of controlled substances which cannot be secured in the above-described safe and/or temporary storage lockers will require personnel from the P & E Section to be called out to re-secure the controlled substance in Property and Evidence.
 - b. Controlled substances (small packages as described above) will not be secured at the SIU office safe for longer than necessary to complete the investigation and no longer than **72** hours unless approved for a longer period of time by the Special Operations Division Commander or designee.

E. Test Samples for Suspect(s)

1. Samples may be delivered/sold to suspect(s). However, prior to allowing any samples to be delivered/sold to a target/suspect, the following criteria must be met:
 - a. The target(s)/suspect(s) must be positively identified.
 - b. The SIU supervisor, Special Operations Division Commander or designee and the Chief of Police must approve the sample and quantity of the sample to be delivered.
 - c. The SAO or Federal Prosecutor's Office must approve the sample delivery and the quantity of the sample.

F. Informants

1. Informants may deliver the controlled substances to the target(s)/suspect(s) **if all of the following criteria are met:**
 - a. The informant is documented.
 - b. The target(s) is positively identified.
 - c. The SIU supervisor and the Special Operations Division Commander or designee approves.
 - d. The SAO or Federal Prosecutor's Office approves.

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- e. The location, plan, circumstances, etc., and the manpower available is adequate to protect the informant and to prevent the loss of the controlled substance.
- f. The informant will wear a concealed body transmitter.
- g. The control agent is able to be in close proximity (visual contact) to the informant and the controlled substance(s).
- h. There are not other reasonable investigative alternatives that would successfully complete the investigation.

G. Initial Receiving, Packaging and Testing of Controlled Substances

1. Controlled substances for “reverse sting” investigations may be obtained from the Department P & E Unit once the controlled substances are no longer needed for the prosecution of the suspects for the case in which they were originally seized, or from other law enforcement agencies on a temporary loan or permanent reassignment basis.
2. Controlled substances that are in the custody of or on loan to the Department must follow the below described procedure prior to use in a “reverse sting” investigation.
 - a. The controlled substances must be weighed on State of Florida certified scales to the nearest tenth of a gram by two officers, one of which will be the supervisor.
 - b. All controlled substances must be or must have been analyzed by the FDLE crime lab. If the controlled substance is a type of substance that can easily be diluted, a sample will be sent to the crime lab for qualitative (purity) analysis prior to use in an investigation.
3. If, at any time, the controlled substance(s) should need to be repackaged prior to its use, it will be repackaged following the following described procedures:
 - a. Protective gloves will be worn at all times by all personnel handling the controlled substances during the repackaging. Other protective equipment (particle masks, protective clothing, etc.) should be worn as needed.

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- b. All controlled substances will be weighed on State of Florida certified scales to the nearest tenth of a gram.
- c. The repackaging, weighing, etc., of the controlled substances(s) will be conducted by two officers, one of which will be the supervisor.
- d. The repackaging of the controlled substance(s) will be documented in a case report by the officers involved. The repackaging process will be conducted under redundant video taping. The tape will be started prior to opening any packages and continue without break until all of the substances are repackaged and sealed. The will include but not limited to the following:
 - Date time repackaged.
 - Why substance(s) are being repackaged.
 - Type of controlled substance.
 - Quantities and/or gross weights of the controlled substance(s) and if a new sample was submitted to the lab for analysis.
 - The original purity of the controlled substance(s) and if a new sample was submitted to the lab for analysis.
 - The names and ID numbers of the officers repackaging, weighing and witnessing, etc., the repackaging of the controlled substance(s).
 - All old and new identifying numbers and characteristics (DR numbers, or other identifying numbers, etc.) of the controlled substance(s) being packaged.
 - Disposition of and weight of old packaging (old packaging will be retained as evidence).
 - Signatures of all persons involved in the repackaging, weighing, etc., of the controlled substance(s).
- e. The repackaging of the controlled substance(s) should be done in such a manner as to allow it to be utilized in its intended "reverse sting" role without having to repackage it again when it is signed out by the

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agent. (Packaging similar to that normally used on the street with no visible evidence tape, case numbers or police markings, etc.).

- f. The repackaged controlled substance will be packaged and marked so that it is positively identified, allowing the chain of custody and package integrity to be maintained and visibly checked. The following are examples of how the controlled substance(s) could be packaged:
 - Heat-sealed plastic packaging with initials, date, and case numbers etc., written in ink, which requires a special light to make the ink visible.
 - Heat-sealed plastic packaging with permanent identifiable non-police looking markings, sealed inside of another bag that is marked with case numbers, weight, date, initials, etc.

H. Controlled Substance Safe/Storage Inventory

1. All controlled substances that are in the custody of P & E for the use in “reverse sting” investigations will be inventoried at least annually, by the Materials Management Supervisor.
2. The inventory will be conducted by two people, one of which will be the Materials Management.
3. The inventory will include visual inspection for packaging integrity, weighing the controlled substance on State Of Florida certified scales to the nearest tenth of a gram and recording the weight and date on the property form.

I. Destruction of “Reverse Sting” Controlled Substance(s)

1. “Reverse sting” controlled substance(s) that are no longer needed may be turned over to P & E for destruction following Department procedures pertaining to the submission and destruction of evidence.
2. The controlled substances will be visually inspected for packaging integrity and weighed to the nearest tenth of a gram on a State of Florida certified scale by two officers, one of whom will be the SIU supervisor prior to submission to the P & E Section for destruction. If any appreciable discrepancies in the packaging, weights, quantity, etc., are noted, the Special Operations Division Commander or designee will be notified

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immediately and the controlled substance will not be destroyed until the discrepancies are investigated.

3. All controlled substances submitted to the P & E for destruction will be logged "TOT Property and Evidence for destruction" on the property form. Additionally, a copy will be forwarded to the Special Operations Division Commander or designee.

603.11 Search Warrants - See [GO 219](#)

603.12 Knock and Talk Investigations

- A. **Criteria for Use** - Knock and talk investigations are primarily used in cases where leads have ceased and there is no alternate avenue of investigation. However, they may be used in the initial phase of an investigation when approved by a supervisor. They may be used in investigating the following crimes:
 1. Misdemeanor narcotic offenses.
 2. Low level gambling offenses.
 3. Prostitution offenses.
 4. Any other crime where the threat of violence is minimal and the investigation is approved by a supervisor.
- B. **Background Check** - When a case meets the criteria for a knock and talk investigation, the reporting officer must have completed any background information on the suspect(s) and location.
- C. **Supervisor Approval** - The SIU supervisor must approve all investigations using this method.
- D. **On-duty Supervisor Notified** - Prior to a knock and talk investigation, the Patrol supervisor must be notified.
- E. **Two Officers** - At least two officers assigned to SIU will conduct the knock and talk. A uniform officer must assist in the initial phase of the investigation for police identity purposes and possible transporting of prisoners. If possible, the uniform officer will be assigned solely to assist SIU officers during the course of the investigation. If overtime is necessary, it must be cleared through the Special Operations Division Commander or designee.

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- F. Ballistic Vests Mandatory** - It is required that SIU officers and uniform officers wear ballistic vests.
- G. Required Equipment** - SIU officers must have the following items with them when conducting knock and talk investigations:
1. Clearly marked Police insignia.
 2. Police pac set radios, firearms, handcuffs, issued tools/implements of less lethal force (Taser, Expandable Baton, Chemical Agent, etc.) etc.
 3. Equipment for producing a search warrant if necessary.
 4. Video camera and or digital camera.
 5. Any other equipment that is necessary and vital to the investigation.
- H. Audio Recording** - While conducting the investigation, an audio recording must be activated at all times to ensure the consent is voluntary.
- I. Officer Safety** - If possible, the uniform officers should wait outside the residence after the initial identification is made. Any persons inside the residence should be gathered together in one room for safety purposes.
- J. Interview and Consent** - The SIU officer assigned to the case will conduct the interview of the persons inside and if possible, gain consent to search the residence or specific areas.
- K. Security** - One SIU officer should remain with the persons while the other conducts the search.
- L. Contraband Located** - If contraband is located, the amount and type will determine the discretion to affect arrests.
- M. Seized Contraband** - Contraband will be confiscated according to procedures. [GO 219](#) and [GO 701](#)
- N. Copy of Seized Items** - A copy of a list of items seized will be left at the residence after the search is completed.
- O. Reports** - Appropriate reports will be completed and forwarded to the SIU supervisor within 24 hours of the seizure/arrests.

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603.13 Prostitution Investigations

A. Procedural Guidelines

1. Review intelligence reports relating to activity and location.
2. Check Police records and Field Interview cards for similar reports and for contacts in the area.
3. Contact residents or businesses in the area to develop information and to identify suspects.
4. Send undercover officers into the area to develop information and to identify suspects.
5. Use a body transmitter to record conversations with a suspect.
6. Review the legal guidelines relating to entrapment.
7. Contact the State Attorney's Office for proper case development.
8. After an arrest, a suspect should be interviewed on associates, pimps and the scope of operations.
9. Develop a plan of arrest, timing the sequence of the investigation and arrest to provide the best evidence for court.
10. Take down teams will be clearly identified as police officers.
11. Arrest and distress signals (verbal and visual) will be explained.
12. **Rule - Juveniles and relatives of officers will not be used as undercover agents in prostitution investigations.**

603.14 Money Laundering Investigations

- A. Discussion** - Florida Statute 896 addresses money laundering. Criminals who make money from their crimes cannot legitimately spend the money they earn, and must in some way disguise where the money came from, in order to make it appear as if it came from a legitimate source. A money laundering investigation is a long term investigation to show that proceeds from illegal activity was or was attempted to be hidden from authorities.

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B. Procedures (In addition to the procedures listed in 603.7 above)

1. Use investigative tools to prove the elements of Florida Statute 896.
2. Create a financial profile of the target to show income and expenses.
3. Gather financial records utilizing a subpoena duces tecum obtained through the State Attorney's Office.
4. Financial records should be obtained for all accounts in all banks, all mortgages, loans from lenders other than banks, etc.

603.15 Adult Entertainment - The SIU is responsible for enforcement of the provisions of the Adult Entertainment Ordinance Chapter 173. The SIU will:

A. Monitor Adult Entertainment - Monitor activity within the City to determine if new adult entertainment is operating, has acquired the appropriate licenses.

B. Liaison with Crime Analysts - Will forward to the Crime Analysts to investigate the applicant information to verify the application data, as required in 173.020(B).

C. Enforce Compliance - Enforce compliance with the requirements that each adult entertainment establishment within the City adhere to the following:

1. The establishment must furnish the Department with list of employees on 1st Monday of the month for the previous month and are forwarded to the Crime Analysts to review for compliance with 173.060(G).
2. The establishments are operating with license 173.070.
3. Conduct **quarterly** checks of occupational license to determine new and existing businesses.
4. Make **quarterly** checks of adult entertainment businesses to determine compliance with provisions of the ordinance, specifically: Hours of operation (0700 - 0100 for sale, solicitation, performance, service or remain open for business 173.081; Employer allows employee to engage in prohibited activity 173.072; Employee engage in prohibited activity 173.077; Patrons touching employees 173.078; Fail to have employee records available for inspection 173.076.

603.16 Surveillance Operations - See [GO 608](#)

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603.17 Electronic (GPS) Tracking - All GPS tracking orders (vehicles and cellular phones) must be approved by the Special Operations Division Commander or designee. After approval, the order must be approved by a member of the SAO prior to presenting the affidavit to a Judge.

A. GPS Tracking of Vehicles - Any application and order must be based upon probable cause that a felony crime has been committed and that there is probable cause that the vehicle is being used in furtherance of the felony crime. In addition:

1. Installation and maintenance must be done on public property.
2. Operationally, tracking should not be 24/7 without any controls. Instead, the investigation should be tailored to minimize and limit the utilization of the tracker to times directly related to the criminal investigation (when there is information of a trip for criminal purposes where the members are actively investigating the suspect and the GPS tracker is being actively used to assist in surveillance).
3. Installation and use of the tracker should be documented as part of the investigation so that if challenged in court there is a clear record that can connect the GPS tracking that was conducted relevant to the criminal activity being investigated.

B. GPS Tracking of Cellular Phones - Any application and order must be based upon probable cause that a felony crime has been committed and there is probable cause that the cellular phone is being used in furtherance of the felony crime. This may include avoiding detection and arrest.

603.18 Cash Seizures

A. Required Notification - Any cash seizure will immediately be reported to a supervisor. If the seizure is in excess of \$1000, the Special Operations Division Commander or designee will be notified.

B. Follow Property/Evidence Procedures - Department General Order on Property and Evidence Handling [GO 701](#) will be followed in all cash and property seizures.

603.19 Firearms

A. Procedures on Carry and Access

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1. No officer will carry on his or her person or in his or her vehicle ready and intended for use, any firearm that has not been approved by the Chief of Police and with which he or she has not met current Department firearms qualifications. Department General Order Firearms [GO 202](#) will be followed.
2. Firearms will be properly maintained and carried, ready for use, on or about the officer's person at all times while on duty.
3. An officer acting in an undercover assignment will wear a concealed firearm on or about his/her person UNLESS the circumstances of the undercover operation prohibit the carrying of the firearm or blatantly threatens the officer's safety or cover scenario. The undercover officer will get PRIOR approval from the SIU supervisor or the Special Operations Division Commander or designee before his/her decision **not** to carry a firearm is implemented.
4. Members who routinely conduct undercover operations may be issued a department owned revolver. The member must carry the revolver in a department approved holster unless exigent circumstances dictate otherwise and approval from a sworn supervisor is given. The revolver may only be used for the purposes of undercover (covert) operations when it can be easier to conceal than the regular duty firearm in order to increase officer safety factors.
 - a. At no time may a member utilize the revolver as a primary on duty weapon.
 - b. Members issued the revolver will return the firearm to the SIU supervisor upon leaving the unit for any reason, including retirement.
5. Whenever an officer is carrying a Department-approved firearm on or about his person, he/she MUST HAVE authorized police identification on or about his/her person. **EXCEPTION: Prior approval from the SIU supervisor or AND the Special Operations Division Commander or designee for an agent working in an undercover investigation where possession of police identification by the agent would compromise his/her safety or the undercover operation.** 603.19 Equipment Control and Access.

603.20 Equipment Control and Access

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- A. Responsibility** - The SIU supervisor is responsible for the accountability, control and maintenance of investigative equipment assigned to his/her unit. The SIU supervisor is also directly responsible for the supervision of the technical services personnel assigned to SIU.

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Rescinds: OMA604 Revision: 08/16/18	CFA 5th: 24.06	Revised: 09/25/18
Reference: FSS Chapter 394, FSS Chapter 790, GO 219, FSS 730.065(2), FSS 741.30, FSS 784.046, FSS 794.064		

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604 Introduction

It shall be the mission of the Palm Bay Police Department to comply with the requirements of Chapter 2018-3, Laws of Florida, addressing the use of firearms in the commission of criminal acts, including but not limited to, criminal acts committed on school campuses; the temporary restriction of firearm possession by a person who is undergoing a mental health crisis and when there is threat of violence by that person; and by promoting school safety via enhanced coordination between education and law enforcement entities.

604.1 Definitions

- A. Ex-Parte Order for Involuntary Mental Examination** - An order from the court directing the Sheriff to take into custody an individual and transport them to a medical facility for evaluation or treatment
- B. Mental Illness** - An impairment of the mental or emotional processes that exercise conscious control of one's actions or of the ability to perceive or understand reality, which impairment substantially interferes with a person's ability to meet the ordinary demands of living, regardless of cause.
- C. Risk Protection Order (RPO)** - A protection order against any person who poses a significant danger of causing personal injury to themselves or others by having a firearm or ammunition in their custody or control or by

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purchasing, possessing, or receiving a firearm or ammunition. When the petition is granted, the person must surrender, and cannot purchase, or otherwise possess, any firearm or ammunition. There are significant factors that a law enforcement officer must establish by clear and convincing evidence before a court may issue an RPO. Per FDLE, temporary and permanent RPO's should be entered into FCIC/NCIC.

604.2 Procedures

A. Public Safety Requirements

1. Identifies the Office of Safe Schools within the Florida Department of Education (DOE) which, as the central repository for the best practices, training standards, and compliance regarding school safety and security.
2. Permits a Sheriff to establish a Guardian Program (Coach Aaron Feis) to aid in the prevention or abatement of active assailant incidents on school premises. School districts have the ability to decide whether to participate in the school guardian program if it is available in their county.

A school guardian must complete 132 hours of comprehensive firearm safety and proficiency training, 12 hours of adversity training, pass a psychological evaluation, and initial drug test and subsequent random drug tests. No teacher will be required to participate. Legislation provides that personnel that are strictly classroom teachers with no other responsibilities cannot participate, with specified exceptions.

3. Requires each district school board and school district superintendent to cooperate with law enforcement agencies to assign one or more safe-school officers at each school facility.
4. Each school district board must:
 - a. Designate a school administrator who completes the required training within the specified timeframe as the school safety specialist for the district to serve as the district's primary point of contact for public school safety functions.
 - b. Designate a threat assessment team at each school and requires the team to operate under the district school safety specialist's direction. The bill requires the threat assessment team to consult with law

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enforcement when a student exhibits a pattern of behavior, based upon previous acts, or the severity of an act, that would pose a threat to school safety.

- c. Formulate and prescribe policies and procedures, in consultation with the appropriate public safety agencies, for emergency drills for hostage and active shooter situations and incorporate procedures to address active shooter situations in the model emergency management and emergency preparedness procedures.
- d. Requires each school safety specialist to coordinate with appropriate public safety agencies that are designated as the first responders to a school's campus to tour such campus once every 3 years and provide recommendations related to school safety.
- e. Requires the DOE to contract for the development of a Florida Safe School Assessment Tool to be used by each school district and public school in conducting security assessments to identify threats and vulnerabilities.
- f. Requires the DOE to establish evidence-based youth mental health awareness and assistance training program to help school personnel identify and understand the signs of emotional disturbance, mental illness, and substance use disorders and provide such personnel with the skills to help a person who is experiencing or developing an emotional disturbance, mental health, or substance abuse problem.
- g. Creates the mental health assistance allocation within the Florida Education Finance Program to provide funding to assist school districts in establishing or expanding school-based mental health care.
- h. Clarifies that the cost per student station does not include specified costs related to improving school safety.
- i. Prohibits a person from making, posting, or transmitting a threat to conduct a mass shooting or an act of terrorism.
- j. Requires the Department of Children and Families (DCF) to contract for community action treatment teams to provide behavioral health and support services.

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- k. Requires the Florida Department of Law Enforcement to procure a mobile app that would allow students and the community to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities or threats.

B. Seizure, Storage and Return of Firearms under the Baker Act

1. Section 394.463(2)(c)2, Florida Statutes, allows a law enforcement officer executing an ex-parte order for involuntary examination to use reasonable physical force as is necessary gain entry to the premises, and any dwellings, buildings, or other structures located on the premises, and take custody of the person who is the subject of the ex-parte order.
2. A Brevard County Sheriff's Deputy will be assigned to serve and execute the ex-parte order. The Palm Bay Police Department will provide back-up, if requested.
3. An officer taking a person into custody for involuntary examination, Baker Act, (as described in Section 394.463, Florida Statutes), may seize and hold firearms and ammunition the person possesses at the time of taking him or her into custody when the person poses a potential danger to himself or herself or others and has made a credible threat of violence against another person.
4. If the officer takes custody of the person at their residence, and the criteria above for seizing firearms and ammunition is met, the officer will ask the person to voluntarily surrender firearms and ammunition kept in the residence which have not already been seized. If the person does not voluntarily surrender such firearms and ammunition, or if the person has other firearms and ammunition that were not seized or voluntarily surrendered when he or she was taken into custody, the officer may petition the court for an Risk Protection Order (RPO) against the person as described below.
5. Firearms and ammunition seized or voluntarily surrendered in connection with an involuntary examination as described in Section 394.463(2), Florida Statutes, must be made available for return no later than 24 hours after the person taken into custody can document that he or she is no longer subject to involuntary examination and has been released from any inpatient or involuntary outpatient treatment, unless a Risk Protection Order entered under Section 790.401, Florida Statutes directs the agency

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to hold the firearms and ammunition for a longer period or the person is subject to a firearm purchase disability under Section 730.065(2), Florida Statutes, or a firearm and firearm ownership disability under Section 794.064, Florida Statutes.

6. The process for the actual return of the firearms and ammunition may not take longer than 7 days.

C. Risk Protection Orders

1. Section 790.401, Florida Statutes, permits a law enforcement officer or a law enforcement agency to petition the court for a Risk Protection Order (RPO). Section 790.401, Florida Statutes permits the officer or agency to seek, after an ex-parte hearing, a temporary ex-parte RPO and then, after an evidentiary hearing, a final or long term RPO. A long term RPO issued under Section 790.401, Florida Statutes, may last up to twelve (12) months.
2. To obtain an RPO, the officer or agency must file a Petition for a Risk Protection Order (the "Petition") that specifically alleges that the respondent poses a significant danger of causing personal injury to himself or others by:
 - a. Having a firearm or ammunition in his or her custody or control; or
 - b. Purchasing, possessing or receiving a firearm or any ammunition.
3. The Petition must be accompanied by a separate affidavit stating the specific statements, actions, or facts that give rise to a reasonable fear of significant dangerous acts by the respondent.
4. The Petition must identify the quantities, types, and locations of all firearms and ammunition that the deputy/agency believes to be in the respondent's current possession, ownership, custody, or control.
5. The Petition must state whether there is a known existing protection order governing the respondent for domestic violence (Section 741.30, Florida Statutes); repeat violence, sexual violence, or dating violence (Section 784.046, Florida Statutes); or stalking (Section 784.0485).

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6. The Petition must provide notice, or it must attest as to the steps that will be taken to provide notice, to a family or household member of the respondent and to any known third party who may be at risk of violence. The notice must state that the agency intends to petition the court for a risk protection order, or has already done so, and the notice must include referrals to appropriate resources, including mental health, domestic violence, and counseling resources.
7. The Petition must include an address of record as being where the agency is located.
8. Upon receipt of the Petition, the court must order a hearing within 14 days and provide notice of the hearing to the respondent. Pending this hearing, a temporary RPO may be issued - notice to the respondent is not required for a temporary RPO.
9. At the hearing, the court must issue an RPO for up to 12 months if the Judge finds by clear and convincing evidence that the respondent poses a significant danger of causing personal injury to himself or others by having a firearm or ammunition in his custody or control or by purchasing, possessing, or receiving a firearm or ammunition.
10. To determine whether grounds exist to issue an RPO, the court may consider the following:
 - a. A recent act or threat of violence by respondent against himself or others, whether or not the act or threat involved a firearm.
 - b. An act or threat of violence by the respondent against himself or others within the past 12 months.
 - c. Evidence of the respondent being seriously mentally ill or having recurring mental health issues.
 - d. A violation by the respondent of any injunction against domestic violence, dating violence, or stalking.
 - e. A violation of a previous or existing RPO or no contact order.
 - f. A previous or existing RPO.

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- g. Whether respondent has been convicted of, had adjudication withheld on, or pled no contest to a crime that constitutes domestic violence.
 - h. Whether respondent has used, or threatened to use, against himself or others any weapons.
 - i. The unlawful or reckless use, display, or brandishing of a firearm by respondent.
 - j. The recurring use of, or threat to use, physical force by the respondent against another or the respondent stalking another.
 - k. Whether respondent has been arrested for, convicted of, had adjudication withheld on, or pled no contest to a crime involving violence or threat of violence.
 - l. Corroborated evidence of the abuse of a controlled substance or alcohol by the respondent.
 - m. Any relevant information from family and household members concerning respondent.
 - n. Evidence of recent acquisition of firearms or ammunition by respondent.
- 11.If an RPO is entered, the order will command the respondent to immediately surrender to the relevant law enforcement agency all: firearms and ammunition they own that are in their custody, control, or possession and any license to carry a concealed firearm. The respondent will also be prohibited from having custody or control of, or to purchase, possess, receive, or attempt to purchase or receive, a firearm or ammunition while the RPO is in effect.
- 12.The Respondent can ask the court to vacate the RPO but may only do so one time unless the order is extended. Upon every extension of the RPO, respondent may request the order be vacated.
- 13.As addressed above, a deputy or the agency may seek a temporary ex-parte RPO before the hearing for a final or long term RPO by including in the Petition the following: Detailed allegations **based on personal knowledge of the officer** that the respondent poses a significant danger

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of causing personal injury to himself or herself **in the near future** by having in his or her custody or control, or by purchasing, possessing, or receiving, a firearm or ammunition.

14. The court must hold a “temporary ex-parte risk protection order hearing” in person or by telephone on the day the Petition is filed or on the business day immediately following the day the Petition is filed.
15. The court must issue a temporary ex-parte RPO if the court finds that there is **reasonable cause** to believe that the respondent poses a significant danger of causing personal injury to himself or herself or others **in the near future** by having in his or her custody or control, or by purchasing, possessing, or receiving, a firearm or ammunition.
16. If the court issues the temporary ex-parte RPO, the order will require the respondent to surrender all firearms and ammunition just as required in a long term RPO.
17. If a respondent fails to surrender the firearms or ammunition pursuant to a temporary ex-parte RPO or a long term RPO, or if there is probable cause to believe that the respondent possesses other firearms or ammunition, the officer/agency may seek a search warrant under the requirements of [GO219](#), based on probable cause to believe there are firearms or ammunition owned by the respondent in their custody, control, or possession, that have not been surrendered.
18. The agency may request to extend an RPO beyond twelve (12) months for up to twelve (12) additional months. The respondent may request the court to vacate an RPO. Hearings are required for either action. Should a court vacate an RPO, or not extend an RPO, any firearm, ammunition, or concealed firearm permit surrendered by respondent to law enforcement must be returned to them. Notice must be given to any family or household members of the respondent before the return of any firearm or ammunition.
19. Filing a Petition for a Risk Protection Order:
 - a. If an officer encounters or obtains information that an individual who they believe poses a significant danger of causing personal injury to himself or herself or to others by having a firearm or ammunition in his/her custody or control or by purchasing, possessing, or receiving a

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firearm, the officer may seek a RPO. The officer will immediately contact their assigned supervisor and advise them of the circumstances surrounding the incident.

- b. With supervisory approval, the officer will contact the on-call Major Case Detective who will respond to the scene and assume responsibility for the RPO process, to include the completion of the Petition and affidavit.
 - c. In all cases, the Major Case Detective will provide the PBPD assigned agency counsel in the City Attorney's Office with the Petition and affidavit for review. Counsel will be responsible for filing the Petition and affidavit via "E-file,". Under no circumstances will a Risk Protection Order be filed without consent from Counsel.
 - d. Prior to submitting Petition and affidavit to agency counsel, the Major Case Detective will consult with the CID Lieutenant or his or her designee, regarding the facts and circumstances surrounding the incident.
- 20. Service of Notice of Hearing, Petition, Temporary Ex-Parte Risk Protection Order, or Risk Protection Orders:**
- a. The Brevard County Sheriff's Office is responsible for serving RPO Documents on behalf of another Brevard County law enforcement agencies. During service, members from the Palm Bay Police Department may be on scene to assist, as necessary, with the service of the order, which will be coordinated in advance.
 - b. When serving a temporary ex-parte RPO or a long term RPO, the Deputy shall request that the respondent surrender all firearms and ammunition he/she owns and that are in his/her custody, control or possession, as well as their license to carry a concealed weapon or firearm issued under Section 790.06, Florida Statutes ("CCW Permit"), if applicable.
 - c. All firearms or ammunition that the respondent surrenders will be logged, property receipted and taken for safekeeping by the BCSO. The deputy must issue the respondent a receipt for the firearms, ammunition, and CCW Permit identifying all firearms and the quantity and type of ammunition that have been surrendered, and any license

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surrendered. The “original” receipt must be filed with the court within 72 hours. A copy must also be kept for agency records.

- d. The respondent may elect to transfer firearms and ammunition that have been surrendered or seized to another person who is willing to receive the respondent’s firearms and ammunition. Brevard County Sheriff’s Office will allow such a transfer only if it is determined that the chosen recipient:

- 1) Is currently eligible to own or possess a firearm and ammunition under federal and state law, and the agency will confirm through a background check;
- 2) Attests to storing the firearms and ammunition in a manner such that the respondent does not have access to or control of the firearms and ammunition until the RPO against the respondent is vacated or ends without extension; and
- 3) Attests not to transfer the firearms or ammunition back to the respondent until the RPO against the respondent is vacated or ends without extension.
- 4) If the person is deemed eligible to receive the firearms or ammunition, he/she will also sign an affidavit stipulating to the above terms.

21. If, upon the service of the temporary ex-parte RPO or the RPO, where the affiant is a PBPB Officer and the officer has probable cause that the respondent has not surrendered all firearms and ammunition in his/her custody, control or possession, the assigned Major Case Detective may seek a search warrant under the requirements of [GO219](#).

22. Return and Disposal of Firearms and Ammunition:

- a. If a RPO is vacated or ends without extension, the agency must return all seized or surrendered firearms, ammunition, and CCW permits as requested by the respondent, but only after confirming, through a background check, that the respondent is currently eligible to own or possess firearms and ammunition under federal and state law, and after confirming with the court that the RPO has been vacated or has ended without extension.

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- b.** The agency must give notice to any family or household members of the respondent before the return of any surrendered or seized firearms and ammunition.
- c.** If the respondent fails to claim his or her firearms and ammunition held by the agency for more than one (1) year after a RPO is vacated or ends without extension, such firearms and ammunition may be disposed of pursuant to the agency's policies and procedures for the disposal of firearms in agency custody.

604.3 Training

Sworn personnel will receive initial and periodic training on this policy and any other processes associated.

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Subject: Crime Scene Investigations	OM No: B602	
Rescinds: OMB602 Revised: 12/15/15	CFA 5th: 27.01, 28.01	Revised: 05/09/18
Reference: GO 701, OM A415		

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602.20	Crime Scene Van Procedures

602 Purpose - The Agency has a responsibility to search crime scenes, to collect and preserve evidentiary items, and to maintain the chain of custody for the presentation of the collected evidence in court. The procedures in this manual apply to all members who are authorized to process crime scenes and/or collect evidence.

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602.1 General

- A. All Agency members authorized to process crime scenes will receive prior training in the appropriate tools and techniques used to locate, photograph, collect and package evidence.
- B. The collection of evidence that requires special training or certification, such as computers, blood spatter, explosives etc. will **not** be attempted by employees who have not received this training. Except in emergency circumstances, the member who lacks this training will notify their supervisor or commander. The supervisor or commander may approve collection of this type evidence depending on the circumstances.
- C. The Crime Scene Unit sets its focus on the role of the Crime Scene Technicians conducting thorough and professional crime scene investigations through training, evaluation and supervision.
- D. The Crime Scene Unit's performance at crime scenes impact heavily on the solvability of major cases investigated by the Agency. Therefore, the Crime Scene Unit members must be well trained, dedicated, professional and conscientious.
- E. The Crime Scene Technician on call will be the Lead Technician at major crime scenes unless otherwise directed by the Crime Scene Unit supervisor.

602.2 Training

A. New Hire

- 1. At a minimum, new hire Crime Scene Technicians, during their field training, will receive training in: report writing; detection, packaging, and collection of latent fingerprints and palm prints; detection and collection of foot, tool and impressions; Digital Photography; sketches; collection, preservation, and submission of physical evidence, including biological materials.
- 2. New Hire Crime Scene Technicians with pre-existing experience and/or advanced training classes will complete the minimum 60 days field training requirement.
- 3. New hire Crime Scene Technicians will be placed under the direct supervision of a designated Crime Scene Technician for in field training. In addition to daily activity, the new hire Crime Scene Technician will also shadow the designated Crime Scene Technician in an "on call" capacity

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as directed by the Crime Scene Supervisor. This training will be a minimum of 60 days.

- a. A training checklist containing all critical policies, procedures, and skills required for basic crime scene work will accompany the new hire/trainee.
 - b. These areas of training will be checked off as completed by the trainee and trainer prior to the new hire/trainee working a crime scene solo.
4. All training will be documented and recorded by the Crime Scene Unit supervisor and forwarded to the Training Section for retention.

B. Minimum Training for Crime Scene Technicians - All Crime Scene Technicians will attend in-house refresher training or Advanced Crime Scene advanced training periodically.

602.3 Crime Scene Intern Program

A. This is a 15-week internship program for criminal justice major college students to obtain experience within a Crime Scene Unit. The purpose of this program is to teach the interns the appropriate tools and techniques used to locate, photograph, collect and package evidence. This program is coordinated and taught by a Crime Scene Technician and overseen by a supervisor in the Criminal Investigations Section.

B. Selection process:

1. Applicant must be at least 18 years of age.
2. Enrolled in an accredited college taking Criminal Justice or Crime Scene classes.
3. Cannot have any arrest convictions and must complete a full background check.
4. Must have a minimum 3.0 grade point average in their major and a 2.7 grade point average overall.
5. Their program faculty advisor/instructor must recommend the applicant.
6. Applicant must submit a completed personal history questionnaire, letter of recommendation and a current validated school/college transcript.

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7. Preference will be given to criminal justice/crime scene majors and applicants with a higher grade point average. Current VCOPS with equal qualifications will receive priority consideration.
8. Applicants who have graduated from an accredited college with a degree in Criminal Justice or Crime Scene certificate program may be approved to participate in the intern program at the discretion of the Chief of Police, provided they pass the background check.

C. Requirements of Interns

1. Interns are not compensated for their time.
2. Interns are required to maintain and submit a daily log of activities to include:
 - a. Date.
 - b. Assignment.
 - c. Reporting time.
 - d. Intern Coordinator's name.
 - e. Description of each activity.
3. Interns will submit their daily log on a weekly basis with a written constructive commentary about the relevancy of scholastic training to field operations.

D. Responsibilities of Program Coordinator

1. Select applicants and schedule their assignments.
2. Conduct weekly meetings with each intern.
3. Assign necessary equipment such as map book, camera, fingerprint kit, etc.
4. Review their paperwork and counsel, if necessary.
5. Submit a written review of each intern's performance to his/her respective college.
6. Distribute certificates of completion to all that qualify at end of program.

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E. Areas of training - Each intern will be required to attend 4 hour time blocks in the use of or will be observing in each of the following areas:

1. Records Unit <Records Unit>
2. Property & Evidence <Property & Evidence>
3. Communications Center <Communications Center>
4. CID <Criminal Investigation Division>
5. Desk Booking Specialist <Desk Booking Specialist>
6. Firearm Safety <Firearms Safety>
7. Patrol Ride-Along <Patrol Ride-Along>
8. VCOP Ride-Along <VCOP Ride-Along>
9. Crime Scene Unit <Crime Scene Checklist>
10. ID Unit <ID Unit>
11. Criminal Court "Trial Presentation" <Trial Presentation>
12. Medical Examiner's Office "AUTOPSY" <Autopsy>
13. Crime Scene Processing <Crime Scene Processing>

F. Each block of training will be signed off by the Trainer with the date of completion and any comments. (See Addendum #1 attached for all forms and checklist)

602.4 Security

A. Office - The Crime Scene Unit entry door will be closed and locked at all times when an authorized person is not physically in the office. This includes trips inside the police department. No unauthorized person(s) will enter the office unescorted by an authorized person. The unit will be secured during nights and weekends by a security alarm system. The following employees are authorized to have access to the Crime Scene Technicians office:

- Assigned Crime Scene Technicians

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- Crime Scene Unit Supervisor
 - Assigned RapidHIT200 Operator
 - Building Maintenance Manager for emergencies only.
1. Special evidence that must be processed or dried can be stored for up to 5 consecutive working days in the office secured lockers. If special circumstances require longer processing time, the IDC may provide written approval and authorization for periods exceeding 5 consecutive working days.
 2. Collected evidence that does not require special processing or drying must be submitted to Property & Evidence Unit before the CST goes off duty. With the Crime Scene Unit's supervisor's prior approval, or Investigations Division Commander's approval, special considerations may allow the evidence to be stored in the Crime Scene Unit's secured storage for up to **24** hours from the time of the seizure.
 3. All evidence must be secured when not in the direct and actual possession of Crime Scene Technicians processing an item. All crime scene technicians who have access control or processes evidence will be listed on the property form/receipt and complete a supplemental case report. Secured evidence lockers are available for such storage. Evidence may also be secured under the fume hood or in the secured processing room at the rear of the unit.
 4. Once the necessary processing is completed, all evidentiary items will be placed into the custody of the Property and Evidence Unit without delay. **Under no circumstances will evidence be left unattended and unsecured and accessible to anyone not listed on a property form.** Crime Scene Technicians will not retain or check out quantities of evidence that cannot be processed within the required **5** consecutive days. Evidence will not be retained on a technician's days off.
- B. Crime Scene Vans** - Crime Scene Unit Vans are used for direct transport of evidence and will not to be used for temporary storage.
- C. Crime Scene Shed** - The Crime Scene Shed entry door and roll up door will be closed and locked at all times when a Crime Scene Technician is not physically in the shed. This includes trips inside the police department. No unauthorized person(s) will enter the shed unescorted by a Crime Scene Technician or Criminal Investigations Section supervisor. The shed will be secured when not occupied by a security alarm system.

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602.5 Chain of Custody - Crime Scene Technicians will adhere to Agency Property and Evidence [General Order 701.1 C](#).

- A. The Crime Scene Technician collecting evidence will seal it and will mark all seals with initials and date to ensure the integrity of the evidence.
- B. Authorized persons opening the package to examine the evidence will open the package in an area without a seal.
- C. After examination, the authorized persons will seal their cut and mark the new seal with initials, date and time.
- D. A Property Form will be completed and kept on all evidence reflecting receiving and transferring of evidence.

602.6 In-House Lab Requests - The In-House Lab Request form will be used by Agency officers and investigators to request evidence processing. If an officer/investigator needs an item processed, the item must first be placed in Property and Evidence. The officer/investigator completes the request form and places it in the "In-Box" located at the entrance door to the Crime Scene Unit. Upon receiving the form, a Crime Scene Technician will checkout the evidence and process the item in accordance with the request. Occasionally items will be sent to FDLE for further processing. Requests for processing will only be accepted on the In-House Lab Request form, not via e-mail or on a hand-written note. In-house lab requests will be addressed within 5 working days. If this time line cannot be accomplished, an email will be provided to the requestor advising the time frame when the submission will be processed and the reason for the delay.

602.7 On Call - There will be established an On Call Crime Scene Technician System to ensure that a Crime Scene Technician is available 24 hours a day, 7 days a week. Details of the "On Call" guidelines can be found in the current NAGE White contract.

602.8 Universal Precautions - Universal Precautions are those methods used to reduce exposures. All Crime Scene Unit personnel will receive initial training on the Department's Bloodborne Pathogen Exposure Control Plan and annual refresher training.

- A. Employees will treat all human blood and body fluids as if they were known to be infectious. Body fluids include but are not limited to the following:
 - 1. Semen.
 - 2. Vaginal Secretions.

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3. Cerebrospinal Fluid.
 4. Pleural Fluid.
 5. Urine.
 6. Peritoneal Fluid.
 7. Saliva.
 8. Synovial Fluid.
 9. Pericardial Fluid.
 10. Any body fluid in situations where it is difficult or impossible to differentiate between body fluids.
 11. Any unfixed tissue or organ (other than intact skin) from a human, living or dead.
 12. Any body fluids contaminated with blood.
 13. Breast Milk.
 14. Vomit.
 15. Amniotic Fluid.
- B.** Universal Precautions will be observed to prevent contact with any potentially infectious materials. The only exception to these requirements would be if the precautions would interfere with the proper delivery of public safety services in a particular circumstance, or would create a significant risk to the personal safety of the worker. For instance, a face shield/mask cannot be worn when providing mouth-to-mouth resuscitation.
- C.** Personnel should observe Universal Precautions whenever possible. Universal Precautions include considering all body fluids or high-risk persons as infectious prior to initiating contact. Based on the extent of human debris/fluids at the crime scene, procedures as outlined in the Bloodborne Pathogen Exposure Control Plan section [OMA 415.8](#) will be practiced. All protective covering and/or related contaminated material or clothing will be deposited in a biohazard labeled receptacle (bag) and disposed of as provided in OM 415.

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D. In the event an Agency employee becomes contaminated, the Agency policy for exposure incident reporting and medical care will be followed. [GO 415](#)

602.9 Primary Responsibilities - The Crime Scene Unit provides consistency and continuity by following guidelines and protocols for proper and thorough crime scene investigations. By doing this, the Unit provides invaluable support to the Agency by seeking continuous training and staying abreast of current changes and strategies. The Crime Scene Unit enhances the solvability of major crimes through quality examination of physical evidence.

602.10 Crime Scene Search

A. Approach and Protection

1. Keep vehicles and non-essential personnel out of the scene.
2. Choose the least likely area of suspect travel through the scene when possible.
3. Document the scene with photographs prior to collecting evidence.
4. Nothing related to the crime scene will be moved before documentation.
5. Nothing unrelated to the scene will be placed in the scene.
6. Authorization for entry into the scene will be determined by the lead investigator, Investigations Unit supervisor or the lead Crime Scene Technician on scene. Crime scenes of suspected homicides (non-traffic) will be under the direct supervision of a Sergeant or Commander of the Criminal Investigation Division once the responsibility of the scene is transferred from the Uniform Services Division. All personnel entering or leaving the secured crime scene area will be logged in and out by the officer responsible for crime scene security. [Crime Scene Security Log](#)

B. Preliminary Survey of the Scene

1. Obtain information about the crime scene from the on-scene officer or investigator.
2. Determine the extent of, and secure the scene if not already secured.
3. Conduct a preliminary search of the scene.
4. Make immediate arrangements for recovery of all evidence that may be lost due to weather conditions, traffic, etc.

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5. Follow an organized plan when processing the scene.

C. Searches

1. Determine the most effective search method, i.e., outside/inside search covering the immediate area, contiguous areas and other areas as directed by the lead investigator or supervisor.
2. Utilize sufficient personnel for the search. Only Agency employees will be utilized for the search unless approved by the Crime Scene Unit supervisor.
3. Instruct all searchers, prior to the start of the search, not to pick up any evidence found. They are to notify a Crime Scene Technician to photograph and collect the evidence.
4. Do a systematic and thorough search.

D. Collecting, Recording, and Packaging Evidence

1. All items will be collected with emphasis on preserving the condition of the evidence during and after collection, preventing contamination, and obtaining sufficient samples (ex. hairs, fibers, blood and paint chips).
2. Bloody and wet items should be air dried in an OSHA approved biohazard cabinet before they are placed in paper bags. Liquid samples should be placed in proper containers (ex. urine or blood samples in cups provided by FDLE or the hospital). Items that need refrigeration will be promptly stored in the designated Property and Evidence refrigerated secure locker. See section 602.13.
3. Most items of evidence may be placed in paper bags or envelopes.
4. Plant material will be placed in paper bags.
5. Small items such as hair, fibers and paints chips will be placed in paper folds or appropriate containers.
6. Documents for examination will be placed in plastic bags.
7. Items for latent prints will be handled with care to prevent contamination/destruction.

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8. Containers should be sealed and then marked with pertinent information. The Property Form will be completed and the evidence submitted pursuant to Property and Evidence [GO 701](#). **Required documentation as follows:**

- a. Case number
- b. Date of incident
- c. Item number
- d. Description of evidence
- e. Containers will be properly sealed. Initials and date will be placed on the seal.

602.11 Photography - Photographs or video, in any format, depicting deceased persons will not be released except as provided by law.

A. Scene Photographs

1. Take overall photographs of the entire scene to reflect the relationship to the surrounding area(s), i.e., overall, midrange and close-up.
2. Take mid-range photographs to show the relationship of evidence in a scene.
3. Subject matter in photographs should range from general to specific.
4. Take close-up photography of evidence for comparison such as fingerprints, footprints and shoe/tire/fiber impressions. Use tripod when needed.
5. When photographing shoe impressions or tire impressions, place a north arrow next to the impression to show direction.
6. Photographs should be taken of the scene, as it is found upon arrival, and then if necessary scales and/or numbers can be added and secondary photographs can be taken.
7. All items that could be altered or destroyed during collection will be photographed prior to collecting. Use scales when necessary.
8. When photographing a homicide scene, digital photographs should be taken.

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9. Color photographs should be taken to show evidence such as prints in blood or fibers in fabric.

B. Injury Photographs

1. Identification photograph - facial and frontal.
2. Mid-range photograph showing injury and other body parts.
3. Close-up photograph with and without scale.
4. Always use color mode.

C. Aerial Photography - The lead investigator or supervisor will determine the need for aerial photographs. The crime scene technician will contact the Brevard County Sheriff's Office and schedule an appointment to fly over the crime scene. When doing aerial photographs, the following should be done:

1. Photograph the scene showing the closest cross street or identification point.
2. Photograph the scene from the four directions, i.e., north, south, east and west.
3. Photograph a large area around the scene; then close in on a specific area of the scene.

D. Digital Imaging

1. The Digital Photography and Video [General Order 601](#) provide general procedures for collecting and handling this type of evidence.
2. All digital photographs taken at a scene will be submitted into evidence.
3. The Original Digital Images are the "negatives" of the Evidence and will be handled in the same manner as raw 35mm Film and Film Negatives.
4. No digital manipulation will be done to the Original Digital Images. If digital manipulation is required for Investigative or Court purposes, they will be burned to a separate digital storage media from the Original Raw Images and labeled as such.
5. All evidentiary digital photographs taken with digital cameras will be burned to a "CD-R" (**NOT** a "CD-RW") and submitted to Property and

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Evidence for evidence storage. Homicide cases will be burned to a CD-R with archival quality.

6. Case information will be written on the CD, including Case number, date, case reference, item number and CST Name and ID number using a permanent black marking pen.
7. When submitting CDs into Property and Evidence, they will be placed in plastic evidence bags with visible writing.

E. Video Imaging

1. Video imaging will supplement digital photography on an "As Needed/Requested" basis, with the exception of homicide and search warrant cases, where video of the scene will be considered mandatory.
2. The original video cassette on which the evidentiary footage was shot will be placed into Property and Evidence. Case information will be written on the cassette, including case number, date, case reference, item number and CST Name and ID number using a permanent black marking pen.
3. No digital manipulation will be done to the original video footage. If digital manipulation is required for investigative or court purposes, a copy of the original footage will be copied to another cassette and labeled as such.
4. When submitting video cassettes into Property and Evidence, they will be placed in plastic evidence bags, writing visible.
5. On any video cassette of evidentiary value, the protection tab will be removed or placed into the "locked" position to protect the footage. "In Store/On Scene" video cassettes and evidentiary video cassettes should be protected as above **prior** to viewing to protect the footage from accidental recording/damage.

F. Training - It will be the responsibility of the Crime Scene Unit, thru coordination with the Training Section, to provide training to Agency members authorized to use digital equipment (video cameras, still cameras and related computer programs).

602.12 Latent Print Processing

- A.** The item will be examined and evaluated to determine if chemical/powder processing is necessary.

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1. Items that contain latent fingerprints will be packaged in such a manner that external conditions will not destroy existing fingerprints or add others. Such items should be handled while wearing gloves or when necessary can be picked up with tongs or forceps.
2. Latent fingerprints should be developed and removed from the surface(s) with appropriate equipment (i.e., dusting powders, brushes, latent lift tape, etc.).
3. Wet items bearing latent prints, such as beer cans or glasses, that have condensation on their surfaces or automobiles covered with rain/dew, should first be allowed to dry under normal conditions. Heat lamps, or artificial heat from any source, should not be used.
4. Visible prints subject to destruction under conditions of normal processing should be photographed before extraordinary measures are taken to further develop or collect them.
5. Items believed to be covered with latent prints, which fail to develop under normal processing methods, should be packaged to protect their surfaces in order that other methods may be utilized.
6. Unloaded firearms collected for latent print evidence will be packaged in boxes so any evidence will be protected.
7. Fingerprint submission (evidence packaging):
 - a. All print cards must be filled out completely.
 - b. A simple sketch will be included on the print cards indicating the location from which the prints were lifted. **ONLY** latent print cards are to be used if at all possible.
 - c. All print cards should be packaged in an Agency approved evidence bag. The bag must be sealed with evidence tape and initialed by the impounding crime scene technician/investigator.
 - d. An Agency property report will be completed for all submitted print cards. When filling out the property report, include the name of any suspect(s) and date of birth if available.
 - e. All print cards and property reports are to be placed inside the locker designated for fingerprints outside Property and Evidence.

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- A. Refrigerate, **DO NOT FREEZE**, liquid blood samples or other perishable evidence such as sexual battery kits.
 - 1. Mark container "Liquid blood inside, refrigerate upon arrival". Place any vials or tubes in a cardboard container and mark the container "Liquid blood inside, refrigerate upon arrival".
 - 2. Place a biohazard label on the outside of the container as well as the property report, making it clearly visible.
 - 3. The perishable evidence will be placed in the designated refrigerated secure storage locker at the main building. If no refrigerated locking storage is available, the technician will call in a Property & Evidence specialist.

602.14 Blood Stained Evidence

- A. **Wet Blood** - When there is liquid blood at a scene, swab a sample of it and dry at room temperature, package in a paper bag, seal and initial.
- B. **Dried Blood** - When there is suspected dried blood at the scene on an object that cannot be moved; photograph the object with and without scales.
 - 1. On items with smooth surfaces such as glass or metal that cannot be submitted to the lab, the technician should use sterile swabs moistened with sterile water to collect the blood onto the swab. The swab will be air-dried and packaged for biological examination. The dried blood may also be collected as flakes using sterile instruments and placed in a small piece of folded paper.
 - 2. On absorbent material such as unfinished wood cut out the portion containing the stain. Seal in a paper envelope, label and initial. Collect a control sample of the unstained area in the same manner.
 - 3. Avoid processing items of evidence for latent prints before submitting them to laboratory for serological testing.

602.15 DNA Evidence - Items of evidence to be submitted for DNA testing will be collected and stored in the same way as those being submitted for conventional serological examinations. It will be the responsibility of the lead investigator to determine what individual pieces of evidence should be submitted to a lab for processing, evaluation or DNA testing. The following are the do's and don'ts of evidence containing blood:

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A. Do:

1. Do air dry items but keep from fans or extreme heat.
2. Do preserve the evidence by collecting it in a timely manner and deliver it to refrigerated storage, the laboratory, or the police department as soon as possible.
3. Do submit the entire item with suspected blood evidence to the lab if possible.
4. Do mark outermost package with biohazard warning symbol and label.
5. Do place a **biohazard sticker** on the property form left for Property & Evidence.
6. Do put a **biohazard magnet** on the exterior of the locker door over the key slot to indicate that bio-hazardous material is in the locker.
7. Do package blood stained evidence items individually.

B. Don't:

1. Don't submit partially dried objects, as decomposition will occur.
2. Don't put stained items into plastic bags, vials or other airtight containers.
3. Don't attempt to remove stain from cloth.
4. Don't remove stains from small solid objects.
5. Don't mix separate dried stains. Package individual item in paper bag or box: seal and initial.
6. Don't keep evidence in the trunk of a car. Extreme heat may make blood unsuitable for testing.
7. Don't process an item for latent prints before attempting serological sampling.
8. Don't freeze liquid blood samples.

602.16 Firearms

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- A.** Firearms will always be submitted **unloaded** unless a malfunction prevents unloading. If this occurs, the employee will contact a Department Armorer or Firearms Instructor who will render the firearm safe.
1. A firearm recovered in fresh water should be collected in the same water and transported to Property & Evidence as soon as possible.
 2. A firearm recovered in salt water should be removed, placed in an oil bath and transported to the lab as soon as possible.
 3. Before handling a firearm, the following should be noted for the Supplemental Report: position of the hammer, position of the slide mechanism (automatic), and position of the safety. If handling is necessary, care should be given as to not disturb/destroy any identifiable latent prints. The make, model, serial number, and other descriptive information should be recorded.
 4. When unloading a firearm, the following should be noted:
 - a. Condition of the ammunition beneath the firing pin.
 - b. Position of the fired/unfired ammunition.
 - c. The number of rounds left in the magazine, and whether or not a round is in the chamber.
 5. In order to preserve the serial number from a weapon and eliminate the possibility of error (if the number were only hand recorded), the serial number should be photographed when practical.
 6. An evidence firearm should not be cleaned. Blood and other substances adhering to the gun should be left intact for laboratory examination.
 7. Firearms retained for evidence should be photographed, tagged and packaged in accordance with standard operating procedure.

B. Fired Bullets/Fragments

1. When possible, collect all bullet fragments. Do not damage the bullets/fragments in an attempt to recover them.
2. Record the location from where they were recovered.
3. Handle as little as possible.

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4. Do not wash or clean bullet/fragments from the scene to prevent losing trace evidence.
5. Package bullet/fragments as soon as possible after recovery.
6. If the bullet/fragment is embedded in an object, cut out a section surrounding the bullet/fragment and submit to the lab so the bullet can be removed without destroying vital evidence.

C. Cartridge Cases & Shot Shells

1. Record all locations and recover as many as possible.
2. Do not wash or clean.
3. Do not initial fired cartridge cases.
4. Package each exhibit separately to avoid damage and cross-contamination.
5. Sturdy envelopes, cardboard or plastic boxes are suitable.

D. Live Rounds

1. Submit all recovered rounds.
2. Do not mark the cartridges as individual characteristics may be destroyed.
3. Package live rounds in a suitable container.

E. Shot Pellets & Wadding

1. At the crime scene, take scaled photographs of any shot patterns.
2. Recover a representative sample of shot pellets and all of the wadding where possible.
3. Do not initial the shot or wadding. Place in an appropriate container.

602.17 Sharps

- A. If handling is necessary, care should be given as to not disturb/destroy any identifiable latent prints.

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- B. Knives should be packaged in appropriate cardboard containers/tubes when practical. Care should be taken that the point or edge will not penetrate the evidence container, causing a hazard. The container should be labeled "Knife" or other appropriate warning.
- C. Syringes should be packaged in appropriate tubes or "Sharps" containers. Care should be taken that the point will not penetrate the evidence container, causing a hazard. The container should be labeled "Syringe" or other appropriate warning.
- D. Glass items should be packaged in a manner that would protect them from breakage and so that if it may become broken, it would not create a hazard.
- E. Broken glass or other cutting hazards should be packaged in such a manner that they would not be a hazard when handling the evidence container. It is suggested that a new/clean cardboard box be used as a container. The container should be labeled "Broken Glass" or other appropriate warning.

602.18 Supplemental Reports

- A. **General Details** - All crime scene technicians who enter a crime scene to handle, collect, or process any evidence are required to submit a supplementary report.
 - 1. Description of the scene and time arrived.
 - 2. Describe evidence to be collected, date and time collected.
 - 3. Include a detailed description of the victim's clothing and wounds if applicable.
 - 4. Note the absence of items ordinarily expected to be present.
 - 5. Location of objects in scene.
 - 6. Weather conditions, including the phase of the moon and affecting weather conditions at the time of arrival for outdoor scenes at night.
 - 7. Odors present.
 - 8. Entry and exit points forced or unforced entry or any windows or doors left unlocked.
 - 9. Lights on or off, natural lighting conditions, air conditioning/heat on or off, appliances on or off.

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10. Ashtrays, trashcans and other containers and their visible contents.

11. Any other items or conditions pertinent to the crime scene.

B. Sketches - A crime scene sketch will be completed on all homicide cases or suspected homicide cases and any case requested by the Crime Scene Unit supervisor.

1. Case Number.

2. Date and time of preparation.

3. Name of the person preparing the sketch.

4. Direction of North.

5. Location of significant features of the scenes.

6. Location of the victim(s).

7. Locations of physical evidence recovered.

8. Relation of the crime scene to other buildings, roads, etc.

9. Dimensions. Be consistent with measurements in sketch. Do all measurements in one unit. Indicate on the sketch that measurements are approximate.

10. Legend - system of symbols used to identify various object.

11. A rough sketch is drawn at the scene. A finished sketch is a clear diagram of the rough sketch and is prepared for court.

12. The phrase "not to scale" is to be placed on the sketch.

C. Cost Recovery - The Cost Recovery Form will be completed by the Crime Scene Technician when a call to a crime scene is necessary. The technician will complete the Cost Recovery Form and the Department Investigative Cost Recovery Request as part of the supplemental report requirement. A cost recovery form does not need to be completed on calls determined to be a suicide. [Crime Scene Cost Recovery Form](#)

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602.19 Transporting Evidence to Approved Laboratories - Evidence hand carried to a laboratory will be packaged separately to prevent cross-contamination. The following procedures will be followed:

- A.** A laboratory examination request will be submitted with the evidence (Note: Do not package the request within the evidence). [FDLE Lab Submission Form](#) The lab submission form will contain the following information:
 - 1. Date, time, agency case number and method of transfer.
 - 2. Receiving person's name and responsibility.
 - 3. Reason for the transfer.
 - 4. Name and location of the laboratory, synopsis of the event, and examination desired.
 - 5. Date and time of receipt in the laboratory.
 - 6. Name and signature of person in the laboratory receiving the evidence.
- B.** Each item will be clearly marked with the case number.
- C.** When necessary, note warning(s) on packages.
 - 1. Firearm unloaded.
 - 2. Sharp objects.
 - 3. Breakable objects.
 - 4. Biohazard.
 - 5. Liquid blood inside - refrigerate.

602.20 Crime Scene Van Procedures

- A. General Usage Provisions** - The crime scene vans are specially equipped vehicles authorized by the Agency for responding to crime scenes, and any other assigned tasks, as directed by the Investigations Division Commander, or designee.
- B. Instructions, Conditions and Limitations of Usage**

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1. Crime Scene Vans are to be operated by Crime Scene Technicians or sworn officers in the "Routine" response mode as defined in Emergency Vehicle Operations GO 213.
2. Crime Scene Vans are not to be utilized as pursuit vehicles.
3. Crime Scene Vans may not be used for traffic stops or traffic enforcement. They may be used for traffic control during police related incidents.
4. The Crime Scene Van is equipped with an Agency Radio and anti-theft/burglar alarm. The alarm will be set by the operator when away from the van for extended distances or periods of time.

C. Qualifications and Training - Only Crime Scene Technicians or sworn officers are qualified to operate crime scene vehicles. Prior to use, authorized operators will be familiar with the procedures provided in this directive and any additional training or procedures necessary for the operation of the Crime Scene Van. A [<Crime Scene Van Operator Checklist>](#) will be completed by each operator prior to use. The completed Checklist will be forwarded to the Training Section for record tracking. The Investigations Division Commander, or designee, will maintain a list of trained personnel authorized to operate the Crime Scene Van.

D. Authorization for Use in Various Situations:

1. In a case of a disaster or State of Emergency, Crime Scene Vans may be used to evacuate and/or transport people from dangerous areas. Evacuation use must be approved by the IDC or Crime Scene Unit supervisor.
2. Other uses outside its intended purpose as a crime scene special purpose vehicle must be prior approved by the IDC or Crime Scene Unit supervisor.

E. Equipment

1. Essential equipment in the Crime Scene Van is as follows:
 - a. CPR resuscitation mask and first aid kit.
 - b. Fire extinguisher.
 - c. Flashlight.

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d. Personal Protection Equipment

2. Additional Equipment in the Crime Scene Van is listed on the [<Crime Scene Van Equipment Inspection Form>](#)

F. Maintenance Responsibility

1. General maintenance of Crime Scene Vans is the responsibility of the Crime Scene Technicians.
2. Operators will adhere to applicable procedures as provided in Department Vehicles [GO 414](#).
3. The Crime Scene Unit supervisor will complete a Crime Scene Van Equipment Inspection Form as part of the bi-annual Inspection procedure.
4. The inspection will include equipment accountability in all Crime Scene Vans. Mechanical repairs and scheduled periodic maintenance will be done by the City Fleet Maintenance Department as arranged by Crime Scene Technicians.

PALM BAY POLICE DEPARTMENT GENERAL ORDER

Subject: Property and Evidence Operations		Order No: 701	
Rescinds: GO 701 Revised: 04/23/18		CFA 5th: 27.01, 27.02, 27.07, 27.08, 27.09, 27.10, 27.12, 27.13, 28.01, 28.02, 28.04, 28.05	Revised: 05/29/18
Reference: GO 602, 415. OM A701, FDLE Evidence Submission Manual FSS705, 960.001, 823.11, 90.91			
Section	Description		
701	<u>Policy</u>		
701.1	<u>Definitions</u>		
701.2	<u>Property Records System</u>		
701.3	<u>Responsibilities</u>		
701.4	<u>Evidence Packaging</u>		
701.5	<u>Packaging Controlled Substances</u>		
701.6	<u>Packaging Firearms</u>		
701.7	<u>Packaging Fireworks/Explosives/Flammables</u>		
701.8	<u>Packaging Liquid Body Fluid Samples</u>		
701.9	<u>Packaging Sharps</u>		
701.10	<u>Procedures for Handling Biohazards and Sharps</u>		
701.11	<u>Currency Handling Procedures</u>		
701.12	<u>Checking Items Out of the Evidence Room</u>		
701.13	<u>Authorized Persons</u>		
701.14	<u>Procedures for Checking Items Out</u>		
701.15	<u>Officer Accountability for Property and Evidence</u>		
701.16	<u>Evidence or Property Signed Out for Court</u>		
701.17	<u>Evidence or Property Signed Out for Investigative Purposes</u>		
701.18	<u>Return of Firearms Involving Baker Act and Ex Parte Actions</u>		
701.19	<u>Items Requiring Submission to FDLE</u>		
701.20	<u>Photographing and Releasing Evidence</u>		
701.21	<u>Found Property</u>		
701.22	<u>Property and Evidence Disposal</u>		
701.23	<u>Unescorted Access to the Evidence Room</u>		
701.24	<u>Accountability and Inspections</u>		

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701 Policy

- A. There will be a detailed, systematic method of collecting, handling, packaging, tracking, and disposing of all property and evidence received by the Agency. The Materials Management Unit, (MMU), will be responsible for the property and evidence function. Specific operating procedures are in [Operating Manual 701](#).
- B. Property held as evidence will be carefully collected, packaged and preserved, and its chain of custody recorded from the time of collection until completion of all legal proceedings.
- C. The Agency will maintain a separate, secure area for storage of property and evidence. This area will include sufficient space and facilities for the storage of items and records. There will be appropriate storage for perishable items and an extra measure of security for the storage of money, narcotics, valuables and firearms.
- D. For specific guidelines on the proper collection, handling, packaging, and submission of evidence and property, the [FDLE Evidence Submission Manual](#) will be used. The Materials Management Unit will notify the impounding member of improperly packaged property. The impounding member, or a supervisor, will make corrections and resubmit.
- E. All sworn members and those members who routinely interact with the public in the capacity of handling calls for service will be familiar with [FSS 705 FSS 960.001\(1\)\(h\)](#) and other law regarding the handling of property or evidence.
- F. All members will ensure property and/or evidence collected or taken into their custody is properly packaged and submitted to the Materials Management Unit before the member ends his/her tour of duty.***

701.1 Definitions

- A. Abandoned Property** - All tangible personal property which does not have an identifiable owner and which has been placed on public property in a wrecked, inoperative, or partially dismantled condition or which has no apparent intrinsic value to the rightful owner. Vessels determined to be derelict by the Department of Natural Resources in accordance with [FSS 823.11](#) will not be included in this definition found in [FSS 705.101\(3\)](#).
- B. Biohazard** - Any item containing blood or body fluids, or any item stained or contaminated by blood or body fluids. All material of this type is presumed to be hazardous and will be handled accordingly.

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- C. Chain of Custody or Possession** - The documented, unbroken transfer of property or evidence from one person to another, from initial collection to final disposal. The following information will be contained on the packaged item, property form and/or lab submission form:
1. Date, time, and method of transfer.
 2. Receiving person's name and responsibility.
 3. Reason for the transfer.
 4. Name and location of the laboratory, synopsis of the event, and examinations desired.
 5. Date and time of receipt in the laboratory.
 6. Name and signature of person in the laboratory receiving the evidence.
- D. Evidence** - Any item impounded by a member of the Department to prove or disprove material facts in a criminal charge against a known or unknown person(s). Evidence will be handled according to Florida Statutes.
- E. Lost/Found Property** - All tangible personal property which does not have an identifiable owner and which has been mislaid on public property, upon a public conveyance, on premises used at the time for business purposes, or in parks, places of amusement, public recreation areas, or other places open to the public in a substantially operable, functioning condition or which has an apparent intrinsic value to the rightful owner. [FSS 705.101](#)
- F. Safekeeping** - Property, usually firearms or other weapons that have been impounded by an officer, usually because of a disturbance. Unless specified otherwise by the impounding member, this property will be returned to the owner in three days. If the owner does not claim this property by the specified date, such property will be deemed abandoned property and will be disposed of pursuant to law. [FSS 705.103\(2\)\(a\)](#)
- G. Sharp** - Any object or device capable of puncturing the skin. This includes glass tubes, razor blades, scalpel blades, knives, hypodermic syringes and needles, some spent rounds, and other items. Bloodborne pathogens, such as HIV, HBV and others can be introduced into the body by accidental exposure to blood or body fluids on contaminated sharps.
- H. Unclaimed Evidence** - Any tangible personal property, including cash, not included within the definition of "contraband article," as provided in [FSS 932.701\(2\)](#), which was seized by a law enforcement agency, was intended for use in a criminal or quasi-criminal proceeding, and is retained by the law

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enforcement agency or the Clerk of the Brevard County Circuit Court for 60 days after the final disposition of the proceeding, and to which no claim of ownership has been made. [FSS 705.101\(6\)](#)

701.2 Property Records System - The Materials Management Unit will maintain an automated information system, which provides the following information:

- A. Current location of property/evidence.
- B. Date and time property/evidence was received /released.
- C. Description of property/evidence.
- D. Chain of custody from time of receipt until final disposition.

701.3 Responsibilities

A. Evidence Collection and Marking

1. Any member who receives an item of property or evidence will properly package or tag such item. The method selected will depend on the type and size of the item, and the complexity of the case.
2. In all cases, the assigned officer or investigator will ensure that all relevant property or evidence is collected. Based upon the complexity of the investigation, actual collection may be deferred to a crime scene technician. Utmost care is necessary to preserve the condition of evidence during and after collection. Refer to Crime Scene Investigations. [OMB 602](#)
3. Care must be taken to ensure that the evidence will not be lost, damaged, or contaminated. Blood and other perishable evidence will be refrigerated in accordance with the FDLE lab submission manual and submitted to the laboratory in a timely manner.
4. The impounding member will submit a printed infield property report with a description of property or evidence listed when turning in property or evidence at the North District, and will ensure that this form matches the actual property. The carbon copy forms will not be substituted for the printed property reports from the In-Field Report system for evidence submission.
5. Members collecting evidence will be responsible for collecting a sufficient sample. Although in some cases there may be minimal samples, reasonable effort will be taken to ensure sufficiency of the samples.

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6. The impounding member will ensure that the circumstances under which the property was impounded is documented in the case report and on the infield property report.
7. The impounding member must properly seal, affix his/her identifying mark **in black permanent marker**, and label all evidence.
8. The impounding member will either package or tag the evidence, as appropriate. The package or tag will include at least the following information: the impounding member's name and ID number, the suspect/owner's name (if known), the case number, the item number, location of recovery, type of incident and the date and time. When submitting liquids, these liquids will be placed in proper containers.
9. Wet evidence will be properly dried in accordance with the Property and Evidence Operating Manual [OM A701](#).
10. Members who collect DVD's or CD's which contain interviews or photographic evidence will make an extra copy to be submitted with the report to Records **ONLY if an arrest is made**. The member will ensure that the correct DR number, item number, and their information are listed on each CD/DVD. The original CD/DVD will be submitted to property evidence accordingly. Any CD/DVD containing child porn must be labeled as such on the evidence bag and CD/DVD. **DO NOT** make a copy for SAO as these are viewed with the Detective. Be sure to use Code: AAAACDCP with a description of CHILD PORN**** on the infield property report.

701.4 Evidence Packaging

- A. **Prevent Cross-Contamination** - Normally each item is packaged separately to prevent cross-contamination. The impounding member should use sound judgment when making a determination as to which like items could be packaged together. Do not mix drugs with other items. Do not mix different kinds of drugs together.
 1. Packaged items which may potentially harm handlers will be marked with a written explanation attached to the package. Those items will be packaged to afford protection against injury to Agency or laboratory personnel. Indicators that the item may be a hazardous material or dangerous biohazard will prompt the member to isolate the item and contact his supervisor. The supervisor will determine if the Fire Department Haz-Mat Team should be consulted. The Agency Infectious Disease Exposure Control Plan will be followed. [GO 415](#)
 2. Packaging material will preserve the item in the condition it was collected, minimizing the effects of natural elements and chemical processes.

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- a. Food items are perishables that attract mice and can become stale or rotten during storage time. In order to better serve the victim and court system, the Agency has a procedure to photograph and complete a property report / return affidavit for all food or perishable items. The items should be photographed and returned to the owner or person who will take responsibility for the property. Food items will not be kept for safekeeping.
3. All packages will be sealed in such a manner that any possible opening or tampering with the package will be obvious.
 - a. Self-sealing plastic bags must be sealed again with packaging or sealing tape ensuring there is no opening at the corners or loop at the top of the seal and initialed by the impounding member or investigator when it contains currency, drugs, jewelry, guns (if in a gun box), DUI or sexual battery kits, or any other item to be processed by FDLE.
 - b. When packaging evidence or property, ensure that each item has its own evidence bag and item number.
4. When possible, batteries and fluids will be removed from any items before being packaged. If it is necessary for evidentiary reasons to leave batteries or fluids in any item, the impounding member will confer with a Materials Management Specialist before submitting the item.
5. The impounding member will run a stolen check on all serialized articles through FCIC and NCIC before submitting them to a Materials Management Specialist.
6. At the beginning of and prior to the end of each shift, property custodians will ensure all evidence secured in submission lockers have been signed in with date and time and secured in the main evidence room.
 - a. Crime scene personnel will act as couriers and be responsible for the collection of evidence from the security lockers located at the North District and directly transport the items to the property custodians in the Materials Management Unit at least once each business day. The Crime Scene personnel will stamp a S14EC when they depart the station and advise their beginning mileage. When at the North District to pick up evidence, the courier will park on the South side of the building inside the gated parking lot and ensure the gate is closed behind them. The courier will call in on arrival and request an officer or Supervisor to stand by when the evidence is being transferred from the lockers to the courier's vehicle. After the items are

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collected, the items will be directly transported to the South District with no stops during the transport absent exigent or emergency circumstances. After the run is complete, he/she will close it when they return to the South District and advise their ending mileage.

- b. In the event Crime scene personnel are unavailable, personnel from the Materials Management Unit will be responsible for the collection of the evidence from the security lockers located at the North District. MMU personnel will be responsible for advising the Communications Center when they begin the run and ensure a S14EC CFS is generated. When at the North District to pick up evidence, the courier will park on the South side of the building inside the gated parking lot and ensure the gate is closed behind them. The courier will call in on arrival and request an officer or Supervisor to stand by when the evidence is being transferred from the lockers to the courier's vehicle. When they return to the South District, they will be responsible for advising the Communications Center their run is complete and the CFS is closed.

7. Prior to the end of each shift, all property that has not been returned to the owner will be forwarded to the Materials Management Unit. ***In no case, will the property be taken home by a member nor will it be stored in an unofficial storage area such as a desk drawer, locker etc.***
8. Any submission to FDLE requires evidence tape over the original seal with a signature or initials crossing over the tape and the bag. Sexual battery kits require evidence tape around all of the edges with the signature or initials crossing over the tape and the box or paper evidence bag. DUI kits need to be placed in a plastic evidence bag and seal the bag with evidence tape initialing over the tape and bag. When submitting a DUI kit, a FDLE chemistry/Toxicology form must be filled out and submitted to Property and Evidence. These forms are located DMS.

B. Large Amount of Similar Items and Jewelry - Large amounts of like items and jewelry will be sealed separately in order to allow for easy identification by victims. Items which will fit in plastic bags will be sealed in the following manner:

1. The like items will be placed in a large plastic bag which is designed to be heat sealed.
2. The items will be heat sealed into their own section within the bag.
3. The entire bag will be affixed with an item number (i.e. A) and each section on that bag will be labeled with another unique number (i.e. 1).

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4. Each item will be listed separately on the property report.
5. The seizing member will ensure that the letter and numbered portion of the heat sealed bag is placed into a larger plastic evidence bag so that it can be read without breaking the seal.

EVIDENCE	
Case Number	12-002 3618 (M)
Pouch Number	MR-A-MR-X
Type of Offense	NARCOTICS
Description of Evidence	MISC JEWELRY (MR-A-X) yellow + white gold (suspected stolen)
Suspect	VIOL/Amel
Victim	UNK
Date and Time of Recovery	4/19/12 12:00AM
Location of Recovery	PCPD (Recovered in Car)
Recovered By	#163



6. **EXCEPTION** - All cell phones received by personnel for evidence, forfeiture, found and/or safekeeping purposes etc., will be packaged separately noting the serial number if identifiable, model number, and who the property was retrieved from or owner (if known). **Cell phones are not to be packaged together under any circumstances.**

701.5 Packaging Controlled Substances

- A. **Separate Packaging** - Controlled substances will be packaged separately from other items and from each other.
 1. The impounding member will package and seal the drug or controlled substance and then weigh the entire package. The officer will clearly mark

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the **gross weight** on the outside of the package. This same weight is recorded on the infield property report in the 'quantity' column. Marijuana will be packaged in the following manner regardless of weight:

- a. Marijuana will be emptied from its current container (pipe, plastic baggy, etc.), into a paper evidence bag. All areas where the bag comes together (on the bottom of the bag) will be sealed with evidence tape to ensure that there will be no leakage of the contents.
 - b. The container will be packaged separately in a paper evidence bag. If the marijuana was in one or more plastic baggies, they will be placed together in a separate bag. **EXAMPLE:** Twenty plastic baggies seized all the marijuana inside the baggies will be emptied into one paper evidence bag. The twenty baggies will be packaged together in another paper evidence bag making two total items of evidence.
2. The impounding member will count all submissions of pills or capsules, subsequently sealing and weighing the package. If the manufacturer's seal has not been broken, the pills or capsules need not be counted. Large quantities of pills (over 25-count) need not be counted, but **must** be weighed with the gross weight. **All pills going to FDLE must be weighed with gross weight listed in the 'description' on front of evidence bag.**

TABLETS/CAPSULES

1. Outer packaging must be a clear plastic bag intended for evidence submission. All openings must be properly sealed as described in the FDLE Evidence Submission Manual. The drugs to be tested must be clearly visible.
2. Contents must be removed from prescription bottles or other packaging which would prevent a visual inspection.
3. Contents must be clearly described on packaging and Prelog form to include the following information:
 - a. Markings on each side of the tablet/capsules (must indicate if no markings exist).
 - b. Gross weight must be clearly labeled on the front of the evidence bag in the description.

EXAMPLE: Side 1 yellow tablet marked R039, Side 2- no markings present

Additional information such as shape and color must be included.

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POWDERS AND OTHER SOLID SUBSTANCES

1. Outer packaging must be a clear plastic bag intended for evidence submission. All openings must be properly sealed as described in the FDLE Evidence Submission Manual. The drugs to be tested must be clearly visible.
2. Loose powders and other similar substances should be placed in a smaller clear plastic bag before being sealed into outer clear plastic bag.
3. Contents should be clearly described on packaging and Prelog form and include the weight. Indicate whether weight is with or without packaging.
4. Under no circumstances will powder substances be stored in the temporary storage lockers located at the North District. These items will be stored at the South District in the proper storage area.

All items not packaged in this manner will be returned to the submitting agency without analysis. If you have any questions, please contact your local FDLE laboratory's Evidence Intake supervisor.

3. Paraphernalia will be packaged separately from the drugs or controlled substances. Each item of paraphernalia will be listed separately on the infield property report. The term '**Miscellaneous Paraphernalia**' is **not** acceptable as an entry. However, it is acceptable to put all of the paraphernalia in one evidence bag under one item number, if each item of paraphernalia in the bag has been appropriately listed on the infield property report.
4. The Materials Management Specialist will examine the container to ensure that it has not been tampered with.
5. The Materials Management Specialist will weigh all drugs. Any weight discrepancy in excess of five-tenths (0.5) of a gram of any substance will be considered unacceptable.
 - a. When a weight is unacceptable, the Materials Management Specialist will notify the impounding member and their Sergeant. If no reply on first attempt, then their Sergeant & Lieutenant will be notified.
 - b. The impounding member or supervisor will come in and examine the package for signs of tampering, and re-weigh the package.

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- c. The correct weight will be recorded on the property report and the package.
- d. A supervisor will be notified in all cases where there are signs of tampering or the weight discrepancy cannot be rectified.

701.6 Packaging Firearms

- A. Firearms, magazines and ammunition will be unloaded and packaged separately from each other. **ALL firearms will be handled in a safe manner and pointed in a safe direction. Inspection and unloading of firearms at the police station will be done at the designated firearms load/unload sites.**
 - 1. If a Crime Scene Technician is assigned to an investigation, he/she will collect all loaded, evidentiary firearms. With supervisory approval, an Agency Firearms Instructor or Armorer may be called to assist to secure a firearm for submission. Other members seizing firearms will properly unload the firearm at designated load/unload sites at the Agency. Members who are unfamiliar with the particular firearm to be unloaded and made safe will call the Agency Armorer or a Firearms Instructor, with supervisory approval, in order to safely unload and secure the firearm.
 - 2. Firearms to be tested by FDLE or processed in-house for prints/DNA will be secured in a firearms box. Firearms for safekeeping will not be secured in a box. All firearms turned in for safekeeping must be held in P&E for 72 hours. Officers will instruct the owner to call P&E for an appointment prior to coming to the station to pick up their firearms.
 - a. Officers will ensure all firearms are unloaded and secured with a zip tie.
 - b. They will ensure that all information is completely filled out on the evidence tag that is zip-tied to the firearm.
 - 3. Information on the weapon will include at least the following: brand or make, model name or number (whichever is applicable), serial number, owner, and any other descriptive details relevant to the firearm. The infield property report must be marked **Weapon Loaded** or **Weapon Unloaded**, depending on the circumstances. The Materials Management Specialists are available for assistance in these matters.
 - 4. Officers will run a stolen check on all weapons through FCIC and NCIC **before** submitting them to Property and Evidence. If the computer is down, the officer will note that on the infield property report. As an alternate method of notification, the officer may email pdevidence@pbfl.org with the

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information. **At no time will the impounding member submit the FCIC/NCIC printout.**

5. Before returning any firearm to any person, Materials Management personnel will contact the Communications Center to run a stolen check on the firearm. MMU personnel will utilize FDLE's Firearm Eligibility System (FES) to confirm there are no conditions prohibiting the possession of a firearm under federal and state law. Those cases in which a firearm is stolen or the recipient is wanted will be referred to a police officer and the firearm retained for further investigation. If the recipient has a felony conviction, he will be denied the firearm and the impounding member will be notified.
6. The impounding member will ensure the status of the firearm is removed from the FCIC/NCIC system prior to return or destruction of the firearm. This will be done by notifying the Communications Section via department email directing the FCIC/NCIC removal as soon as possible. The Communications Section will respond via email when the removal is complete. All FCIC/NCIC documentation, including the removal print-out, will be forwarded to the Records Unit to be filed with the original case report.
7. If the impounding member is unable to unload or verify a firearm is unloaded, the firearm will **NOT** be stored in the temporary storage lockers located at the North District. Contact should be made with an on-duty Firearms Instructor in order to make the weapon "safe". In the event there is no firearms instructor working, the Watch Commander should be notified.

701.7 Packaging Fireworks/Explosives/Flammables

Storing of fireworks, explosives and flammables pose a great risk; therefore they are not to be routinely submitted as evidence. The Watch Commander or higher authority must approve the submission of these types of items as evidence.

A. Procedure

1. Fireworks should normally be turned over to Range Personnel for disposal. A photograph will be used as court evidence.
2. Explosives should normally be turned over to the Brevard County Sheriff's Office Bomb Squad for disposal. A photograph will be used as court evidence.
3. Flammables are normally photographed and disposed of through approved disposal methods. If necessary, you may contact the Palm Bay Fire Department for assistance.

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701.8 Packaging Liquid Body Fluid Samples

- A. Proper Container** - Liquid blood and other body fluids will be packaged in a suitable container, which will prevent leakage during handling, storage and transport.
- B. Biohazard Symbol** - The international biohazard symbol and label must be affixed to both sides of the package.
- C. Secured Refrigeration** - Perishable items will be stored in secure refrigerated storage. In the event of a power failure, the emergency power generator will provide an alternative power source until electric power can be restored. Notify pdevidence@pbfl.org when items are placed in refrigerated storage. No items requiring refrigeration will be stored in the temporary storage lockers located at the North District.

701.9 Packaging Sharps

- A. Biohazard Risk** - All syringes and needles are presumed to be bio-hazardous and will be handled accordingly.
- B. Crushproof Container** - Syringes and needles will be packaged in crushproof plastic tubes.
- C. Syringe Submissions** - Syringes should be submitted only if necessary for prosecution, or if no other evidence exists in the case.
- D. No Needle Removal** - No attempt will be made to make the needle safe or unusable. Re-sheathing, cutting or bending a needle, or removing a needle from a syringe, exposes the officer to a significant risk of injury, and offers little or no protective benefit.
- E. Placement in Tubes** - Needles will be inserted sharp end first into the plastic tube, and the screw cap will be firmly tightened.
- F. No Labels** - Biohazard evidence labels will **NOT** be affixed to the plastic tubes, because to do so, would obstruct the view of the needle.
- G. Plastic Tubes** - The plastic tubes containing the needle or syringe will be packaged in a sealed plastic evidence bag and Biohazard labels will be affixed to both sides of the bag.
- H. Sharps Packaging** - Knives and other sharp objects will have cutting edges and points covered by cardboard or layers of heavy folded paper, such as a folded paper bag. The knife or sharp object must be zip tied to the inside of the

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box to prevent movement of the knife or object inside the box. The cover will be taped or zip-tied into place to prevent accidental removal. If the item contains a suspected biological fluid, biohazard labels will be affixed to both sides of the package.

- I. **Sharps Warning** - Packages containing sharps will be labeled with the international biohazard symbol and the words **WARNING: CONTAINS SHARPS**.

701.10 Procedures to Handle Packages Containing Biohazards and Sharps

- A. **Biohazard Materials** - It is the responsibility of the Materials Management Unit to accept, store and protect bio-hazardous materials. While no foolproof method of handling these items exists, it is the responsibility of all members to avoid contamination by using sound and prudent handling methods.
- B. **Mandatory Compliance** - Accepting biohazard items by the Materials Management Unit will be regulated by strict adherence to the following procedures. No variations will be tolerated without the approval of a supervisor or higher level in the chain of command of the Materials Management Unit.
- C. **Safety Procedures** - Personnel will wear protective gloves whenever they handle bio-hazardous material and will thoroughly wash their hands immediately afterwards. If any member comes into direct contact with any item contaminated with a suspected bio-hazardous material, that member will immediately report the incident to his/her supervisor. **Appropriate procedures will be followed pursuant to the Department Infectious Disease Control plan [GO 415](#).**
 1. Liquid samples will be submitted in glass tubes.
 2. Each glass tube will be enclosed in a crushproof plastic tube.
 3. Stained clothing: Clothing stained by biological fluids will be submitted in a **DRY** state only. Whenever possible, members should avoid impounding stained items that are not needed for trial.
 4. Mark all exterior surfaces of the package with the international Biohazard symbol and label if the package contains:
 - a. Liquid or dried blood
 - b. Body-packed contraband
 - c. Body parts

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- d. Body fluids
 - e. Syringes
 - f. Any other item which potentially may harbor any bloodborne pathogen.
5. Mark packages with the following warnings, as applicable.
- a. **Warning:** Liquid Blood Inside
 - b. **Warning:** Hepatitis or AIDS Positive
 - c. **Warning:** Biological Hazard
 - d. **Warning:** Hypodermic Needle(s)
 - e. **Warning:** Glass
 - f. **Warning:** Sharps

701.11 Currency/Negotiable Instruments Handling Procedures

- A. Mandatory Procedures** - All currency/negotiable instruments and counterfeit notes impounded (evidence, safekeeping, found, forfeiture, etc.) will be accounted for and packaged according to the following procedures **prior** to the end of the impounding member's tour of duty.
- 1. All seized currency/negotiable or counterfeit instruments will be secured in a sealed evidence bag or other suitable container and transported to police headquarters. If possible, and if the scene conditions permit, a cursory count at the scene should be done in the presence of another officer, supervisor or another Agency member. In all instances, the identity of the witness to the cursory count at the scene will be documented in the seizing officer's original report. If a cursory count at the scene should not be done, the seizing officer will notify the on-duty sworn supervisor and document in the original report the circumstances why it was not done.
 - a. If the cursory count is **less than \$100**, the count at police headquarters will be verified by a second person. The name or ID number of the verifying person will be recorded on the outside of each package and property report.
 - b. If the cursory count is at least **\$100, but less than \$499.99**, the count at police headquarters will be verified by an on-duty sworn supervisor. The name or ID number of the supervisor will be recorded on the outside of each package and property report.

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- c. If the cursory count is **\$500.00 or greater**, an on-duty sworn supervisor will respond to the scene and verify procedures are followed.
 - d. **All sworn members** involved with the impounding of currency, valued at \$100 or greater, will complete a **supplement report** on their involvement.
- 2. Upon arrival at the station, the impounding member will remove the currency from the sealed bag or container, **only** in the presence of the required witness or witnesses and while on video depending on the cursory total. If the impounding officer did not conduct a cursory count at the scene, a sworn supervisor will witness a cursory count to determine the required procedure listed as follows.
 - a. If the cursory count is **less than \$100.00**, the seizing officer will conduct an official count in the presence of *a second person*.
 - b. If the cursory count is **between \$100 and \$499.99**, the seizing officer will conduct an official count in the presence of a sworn supervisor.
 - c. If the cursory count is **more than \$499.99 but less than \$5000.00**, the official count will be in the presence of a sworn supervisor, (Sergeant or above), Materials Management Specialist **and** the entire process will be videotaped as provided in section 710.10D. If the impounding member is not available to conduct the cursory count, the sealed bag containing the currency will be turned over to their supervisor. This must be recorded on the Chain of Custody on the property evidence bag and the property report.
 - d. If the cursory count is **\$5000 or more**, the official count will be in the presence of a sworn supervisor, MMU Specialist and a sworn Lieutenant or commander of higher rank. The videotaping procedure will be followed.
- B. Counting Procedures** - The counting of all seized currency will be uninterrupted and conducted preferably **in a locked room in the continuous presence** of the required personnel. It is the responsibility of the seizing officer and witnesses to ensure this process is free of interruption and **unnecessary communication, including cell phone use**. Additionally the counting surface, counter or table, will be absent of all clutter or unnecessary items to the counting procedure. Two consecutive counts indicating the same amount of currency are required prior to sealing it in an evidence bag.
 - 1. The counting person will verbalize his count by denomination and write down the totals in the presence of the witness(es). The required

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witness(es), will follow the counter's verbalized count and visually confirm the count.

2. The second count will be conducted in the same manner by a witness. The counting procedure will continue until there are two consecutive counts indicating the same amount of currency.
 3. If the total currency amount is **\$5000 or more**, a third count will be conducted by a different witness. Prior to sealing the currency in an evidence bag, each person's count must yield the same result.
- C. Documenting Procedure** - Documenting the counting procedure is integral to the veracity of the count and packaging. Currency in excess of **\$500** requires the videotaping procedure in 701.10 D.
1. All currency will be recorded on an infield or hand written property report and on the evidence bag containing the currency by listing the denomination, the total number of bills or coins within that denomination, and the total value of each particular denomination on individual lines. The total amount of currency, the sum of all denomination counts, will be entered in the value column next to the property identification number. Example:
 - a. 5 x \$1.00=\$5.00
 - b. 7 x \$10.00=\$70.00
 - c. 26 x \$100.00= \$2,600.00
 - d. Total Currency =\$2,675.00
 2. A denomination count *from an adding machine that is used by the Materials Management Specialist* and total currency amount record will be placed in the evidence bag with the currency prior to sealing.
 3. All required witnesses will initial and list their individual identification numbers on both the outside of the sealed property bag *to include the red evidence tape used to cover the original self-seal and the opened corners at the top of the evidence bag* and property report listing the currency.
 4. The exact original location where the currency was seized will be listed on the property report. For example; 123 Main Street NE, Palm Bay, Florida 32907- master bedroom, east night stand, top drawer.
- D. Video Taping Procedure** - Videotaping the count and packaging of seized currency is required for amounts of \$499.99 or greater. The following

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mandatory procedures provide a traceable record of the count and packaging of currency.

1. Videotaping the procedures requires seclusion from non-participatory persons in an area large enough to accommodate the required personnel and videotaping. Money counts will be conducted in one of the interview rooms located in the Investigations Division.
2. The room where the count and packaging occurs will be prepared prior to videotaping or escorting the funds into the room. Preparation should include removing unnecessary items from the counting table. It would include pre-arranging chairs so that videotaping is unobstructed from personnel movements. Ensure that there are enough evidence bags and evidence tape along with other office supplies to include the adding machine/calculator.
3. The person assigned to videotape, if a tri-pod is not used, will be briefed as to the angle and view of the camera while it is recording. To ensure proper capture of the count and packaging, the angle and view will include the required witnesses and currency in full view at all times during the count/packaging.
4. No personnel will be permitted to enter or leave the room during the counting, packaging procedure, or videotaping of the process.
5. The entire process from unsealing the currency transport container, verbal counting procedures, and sealing the counted currency into evidence bag(s) will be recorded on video. A member of the counting team will review the recorded tape in fast forward to ensure the entire count is recorded prior to securing the currency into the Property and Evidence secure storage.

E. Currency/Negotiable Instrument Security Procedure - At the completion of the required counting, packaging, and documenting procedure the sealed currency/instruments will be secured using the following procedure.

1. If no MMU Specialist is on duty to receive the currency, all seized currency totaling **less than \$499.99** will be placed in secure evidence lockers outside the Materials Management Unit.
2. All seized currency **totaling \$500.00 or more** requires direct transfer to a MMU Specialist for secure storage in the main Property and Evidence vault for currency.
3. In those cases where the currency amount will not fit inside one evidence bag, it may be packaged in separate bags and then placed into one large

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package or container. Otherwise, each package will be assigned a different item number.

F. Reports on Forfeitures - The Asset Forfeiture Unit will be notified by the impounding officer on the date of the seizure. A copy of the case report, property report, and 'Notice of Seizure and Forfeiture' will be forwarded to the Asset Forfeiture Unit, **within 24-hours**, for all currency seized for forfeiture. See Asset Forfeiture Program [GO 702](#). **All sworn members** involved with the impounding of currency **valued at \$100** or greater will complete a supplement report on their involvement.

G. Digital Evidence - Refer to Digital Photography and Video [GO 601](#).

701.12 Authorized Reasons for Checking Items Out of the Evidence Room - Generally, there are two reasons for an officer to check items out of the Evidence Room: **investigative purposes and court**. In both instances, members will sign the property out, report the purpose, and maintain the chain of custody.

701.13 Authorized Persons - The following persons are **authorized** to request copies of or sign property or evidence out of the Evidence Room:

- A. The impounding member.
- B. The case investigator.
- C. The supervisor within the chain of command of either the impounding member or the case investigator.
- D. The State Attorney or an Assistant State Attorney who is assigned to prosecute the case.
- E. Crime Scene personnel, upon the request of the impounding member or the case investigator.
- F. The Forfeiture Unit member or designee for forfeiture related cases only.
- G. DV Advocates for cases they are assigned or assisting with.
- H. Crime Analysts for cases they are assigned or assisting with.
- I. SWAT Commander or designee for purposes of search warrant case file and intelligence. Any request will be made via email and SWAT Commander and MMU Supervisor shall be CC'd in the email.

701.14 Procedures for checking items out - Including Sting Investigatory Items (See [OMA 701.8](#))

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- A. Property Check Out** - The individual checking out the item will sign the chain of custody form, placing in the appropriate blanks: their name and ID number. The reason for checking out the item, and the date and time will be completed by the MMU Specialist.
- B. Property Report and Item** - The second copy of the chain of custody form is given to the individual, along with the item.
- C. Property to another Person** - If the individual turns the property or evidence over to any other person, the receiving person will sign the copy of the chain of custody form. The signed copy of the chain of custody form will be returned to the Materials Management Unit.
- D. Return Procedure** - When returning the property or evidence, the individual who has custody of the item will return it, along with their copy of the chain of custody form. These may be placed in an evidence storage locker or be personally given to a Materials Management Specialist.
- E. Destroyed Evidence** - Any member who checks an item of evidence and cannot return it (i.e., drugs used for sting investigation). The member who witnessed or has knowledge of the items being destroyed will email the MMU supervisor of the circumstances. The member will also ensure that the Chief of Police via their Chain of Command is included in the email. If there is any video/audio of the destruction, it will be submitted into evidence.

701.15 Officer Accountability for Property and Evidence

- A. Proper Disposition** - Prior to the end of each duty shift, all property, which has not been returned to the owner, will be submitted to the custody of the Materials Management Unit by the impounding member. Any items of evidentiary value will also be submitted to MMU before the member ends his/her duty shift. 'Submitted' means securing the property or evidence in Agency authorized temporary secure storage lockers, or immediate in-person transmission to a Materials Management Specialist. The original copy of the chain of custody form will accompany the property. **In no case will property be taken home by a member, nor stored in vehicles or unauthorized storage areas such as a desk drawer, lockers, etc.**
- B. Secure Storage** - The Agency authorized temporary lockable storage lockers at the North and South Districts will be used whenever Material Management Specialists are not available to take direct immediate control of the evidence or property. Refrigerated temporary lockable secure storage lockers will also be available for perishable evidence at the South District only. Once evidence is deposited into a locker, the temporary lockable secure storage lockers are only accessible by Crime scene personnel and Materials Management specialists

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who have that responsibility to take custody of the evidence. If no lockers are available, the on-call MMU will be called to empty the lockers at the South District only. Under no circumstances will an on-call MMU be called out to empty the lockers at the North District.

- a. Crime scene personnel will be required to sign a key out in order to access the temporary storage lockers located at the North District. Under no circumstances will a key be taken home or kept after dropping off the transported evidence from the North District.
 - b. The sign out sheet(s) will be maintained by the Materials Management Unit for a minimum of one year.
- C. Prisoner Property** - Members may allow prisoners to transfer their personal property to a person at the scene of arrest. Members may also allow prisoners to leave their property at the scene of arrest. However; in either situation, the following will occur:
1. The arresting member will complete an itemized property report outlining the items to be left with a person.
 2. The prisoner will sign the property form authorizing the release of the property to the person at the scene.
 3. The person accepting the property will sign the form signifying that they are accepting custody and control of the item(s).
 4. In the event there is no one to turn the property over to, a Prisoner Property Receipt will be completed with one copy given to the prisoner, one to Property and Evidence turned in with the property and the original to Records with the report. All property will be documented and turned in prior to the officer going back in service.

701.16 Evidence or Property Signed Out for Court

- A. 24 Hour return** - Except when admitted as court evidence, items removed for court purposes will be returned to Property and Evidence no later than 24-hours after their removal.
- B. Trial Postponed** - If the trial is continued or postponed, the evidence must be returned to Property and Evidence within 24-hours after its removal
- C. Admitted Evidence** - If admitted as evidence, the officer will have the court officer sign the chain of custody form and will return such copy to Property and Evidence within 24-hours after the evidence was removed.

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- D. Refusal to Sign** - If the person taking custody of the evidence refuses to sign for the evidence, the officer should request assistance from the attorney prosecuting the case. The officer **MUST** submit a memo, including the names of all persons involved, to the Materials Management Unit within 24-hours after the evidence was removed from Property and Evidence.
- E. Court Receipt** - If the chain of custody form is also admitted as evidence, the officer will obtain from the Clerk of the Court a receipt showing that the evidence and the form were held by the Court.
- F. Unreturned Property** - When evidence for court has been signed out for a period of three (3) working days, and neither the chain of custody form or the evidence has been returned to Property and Evidence, a Materials Management Specialist will send a Memorandum of Unreturned Property to the officer's Division Commander for resolution.

701.17 Evidence or Property Signed Out for Investigative Purposes

- A. Removal of Evidence** - Evidence or property may be removed to further an active case investigation.
- B. Seven Day Check Out** - When such evidence or property is signed out, it will be returned to Property and Evidence within seven days, unless a memorandum has been written specifying that additional time is required.
- C. Seven Day Waiver** - Exceptions, which may necessitate a waiver of the seven day time limit, will require approval of the officer's Division Commander.
- D. Officer Accountability Report** - The Property and Evidence Unit will send an Officer Accountability Report to the Division Commanders notifying them of any evidence or property, which has been out beyond the established period.
- E. Returned Drugs** - Drug evidence will be returned in its original sealed package and reweighed indicating the weight on the outside of the evidence bag next to the chain of custody and the name of the MMU specialist receiving the package back into evidence. Any damaged or unsealed returned drug evidence will be reweighed and resealed in the presence of a Materials Management Specialist by the returning officer. **Any discrepancies will be recorded on the property report. The officer will also be required to write a supplemental report detailing the circumstances of the discrepancy and/or unsealed package and forward the report to his/her supervisor within 24 hours.**

701.18 Procedures for Return of Firearms Involving Baker Act and Ex Parte Actions

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- A. All inquiries regarding the return of firearms, together with ammunition, that are seized for safekeeping purposes resulting from the voluntary or involuntary transport and delivery of an individual to a licensed facility, who is to be evaluated under the Baker Act, including pursuant to an Ex Parte Order, should be directed to the Property and Evidence Section for further information.
- B. Any ammunition that was seized, along with a firearm, from the owner resulting from the voluntary or involuntary transport and delivery of an individual to a licensed facility to be evaluated under the Baker Act, including pursuant to an Ex Parte Order, will be released on the same date as the firearm. The owner also has the option to transfer custody of the ammunition to the Police Department for destruction.
- C. Complete the following prior to releasing any firearm: Refer to OMA 701.13.

701.19 Items Submitted for Outside Analysis - Items submitted for outside analysis are not subject to time limitations.

- A. **Items sent to FDLE** - When evidence will be analyzed by FDLE, the requesting member will complete an FDLE Request for Examination of Physical Evidence Form. The analyzed evidence must be returned upon receipt from the FDLE Crime Lab.

1. DNA evidence collected in sexual offense investigations [<FSS 943.326>](#)

- a. A sexual offense evidence kit, or other DNA evidence if a kit is not collected, must be submitted to FDLE for forensic testing **within 30 days** after:
 - i. Receipt of evidence by a law enforcement agency if a report of the sexual offense is made to the law enforcement agency; or
 - ii. A request to have the evidence tested is made to the medical provider or the law enforcement agency by: the alleged victim; the alleged victim's parent, guardian, or legal representative, if the alleged victim is a minor; or the alleged victim's personal representative, if the alleged victim is deceased.
- b. A collected sexual offense evidence kit must be retained in a secure, environmentally safe manner until the prosecuting agency has approved its destruction.

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- B. Outside entity other than FDLE** - When evidence is to be analyzed by an outside entity other than FDLE, the requesting member will obtain approval in writing from their supervisor.
- C. Property Form** - Either the FDLE Request for Examination of Physical Evidence Form or the memo/email will be attached to the items of evidence.
- D. Evidence Bags** - On self-sealing evidence bags, there must be additional evidence tape over the self-seal, and it must be initialed **crossing over both the evidence bag and evidence tape**.
- E.** DUI evidence must be accompanied by a toxicology form.
- F.** Drug evidence will be delivered to FDLE once a fast-track is submitted to MMU by the State Attorney's Office.
- G.** All submissions to FDLE require evidence tape over the original seal with a signature or initials crossing over the tape and bag. Sexual Battery kits require evidence tape around all of the edges with date and signature crossing over the tape and the box or paper evidence bag. DUI kits must be placed in a plastic evidence bag and sealed with evidence tape initialing over the tape and the bag.

701.20 Photographing and Releasing Evidence [FSS 90.91](#)

- A. Returned Property Criteria** - Recovered stolen property may be photographed and returned to the victim or owner, unless it is the instrumentality of a crime, or is evidence for other reasons.
- B. Returned Property** - The assigned officer will photograph the item(s), complete the Affidavit Concerning Returned Property, and ensure that the owner signs a Property Report.
- C. Supplement Report** - The officer will write a supplemental narrative report documenting the procedure.
- D. Records Submission** - The Affidavit will be submitted to the Records Unit with the case report. The CD with photos will be submitted to Property & Evidence under the case report number.
- E. Officer Approval** - Materials Management Unit members will release property or evidence to the owner **after** the officer authorizes its return completing a Property Release form or otherwise pursuant to law.

701.21 Found Property - Members who find property or are given found property by a citizen/complainant and the property has obvious intrinsic value and/or apparent

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ownership can be determined, will properly document the found property with a case report / property report and attempt to return the property to the rightful owner, if known. If the property cannot be returned to the rightful owner by the end of the member's shift, the property will be submitted to Property and Evidence. Found property is held for 91 days.

701.22 Property and Evidence Disposal - Any evidence which is returned to its owner or disposed of in any manner will have all reference to victims' names or any other identifying information removed from it prior to its transfer. When a case is closed and the evidence is no longer needed, when applicable, an attempt will be made to contact the owner using the following means in this order:

A. Notification by phone

B. Notification by mail

C. If no claim is made of the evidence it will be disposed of after ninety days from the disposition date in the following manner with a written approval from the Chief of Police or designate:

- Turned over for department use
- Transferred to another agency for its use
- Donated to a charitable organization
- Items may be sold as scrap with any / all proceeds donated to charity (i.e. Police Explorers)

D. If no claim is made of the evidence it will be disposed of after ninety days from the dispositions date in the following manner:

- Disposed of through on-line or city auction
- Destroyed if of no value

These procedures are in accordance with Chapter 705 Florida State Statutes.

701.23 Unescorted Access to the Evidence Room is Limited to the Following:

A. Materials Management Specialist/Supervisor

B. Logistics Manager

C. Support Services Division Commander

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- D. **Call out** - If there is a need for evidence to be received or issued after normal working hours or on weekends, the on-call Materials Management Specialist, or other person so designated in advance, will be called.
- E. **Office Access** - Agency personnel are allowed access to the administrative office area (Room #130) of the Materials Management Unit while escorted by Materials Management Specialist. It is not necessary for a member to sign the visitor log in such an instance.
- F. **Visitor Escort** - Agency personnel are allowed access to the Evidence Rooms (Room #131, #132 or the warehouse), if a Materials Management Specialist escorts them at all times. A member who is granted such access **must** sign in and out on the visitor log.
- G. **Visitor Log** - Persons who are **not** Agency personnel must sign in and out on the visitor log to gain entry to **any** of the rooms in the Materials Management Unit. A Materials Management Specialist must escort such persons at all times.

701.24 Accountability and Inspections

- A. **Log** - Property and Evidence will maintain a log and control of person(s) and property entering the storage facility and maintain the chain of custody of property in the storage facility.
- B. **Material Management Supervisor (Property Custodian) transfer or removal** - Whenever there is a change in Materials Management Supervisors, an inventory of property and evidence will occur with the newly assigned Materials Management Supervisor and the replaced member. The inventory will focus on ensuring that the records are correct and properly annotated. The inventory will be documented and forwarded to the Division Commander, Chief of Police and Accreditation Management Unit.
- C. **Annual Audit** - An annual audit of property and evidence held by the agency is conducted by a supervisor not routinely or directly connected with control of property and evidence. The Accreditation Management Unit is responsible to conduct or designate an audit by December 31 of each year. A report will be prepared for the Chief of Police.
- D. **Unannounced Inspections** - The Chief of Police, Support Services Division Commander or designee may conduct unannounced inspections of property and evidence storage areas and report the findings in writing to the Chief and Accreditation Management Unit. These random inspections will be general inspections or detailed inspections as the Chief or Support Services Division Commander deems necessary.

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- E. Annual Inventory** - An annual inventory of property and evidence is conducted by the property custodian and a designee of the CEO. A minimum of 10% of the evidence and 2% of the property will be accounted for during the annual inventory.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Asset Forfeiture Program	Order No: 702	
Rescinds: GO 702 Revised: 05/31/15	CFA 5th: 30.01, 30.02, 30.03	Revised: 11/29/17
Reference: Florida Contraband Forfeiture Act, 932.703 FSS		

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702 Policy

- A.** It is the policy of the Agency to utilize forfeiture as a tool to effectively and significantly impact upon crime while protecting the property interests of innocent owners and lien holders. The potential for obtaining revenues from forfeiture must NOT override the fundamental consideration such as public safety, the safety of law enforcement officers, or the investigation and prosecution of criminal activity.
- B.** It is also the Agency's policy to ensure that in all seizures made under the Florida Contraband Forfeiture Act [FSS 932.703](#) will adhere to federal and state constitutional limitations regarding an individual's right to be free from unreasonable searches and seizures, including, but not limited to the illegal use of stops based on discriminatory factors such as race or ethnicity, coercive consent searches, or a search based on discriminatory factors.
- C.** The employment, salary, promotion, or other compensation of an officer will not depend on obtaining a quota of seizures.

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702.1 Definitions

- A. Florida Contraband Forfeiture Act (FCFA)** - The Florida Contraband Forfeiture Act authorizes law enforcement agencies to seize and forfeit any vessel, motor vehicle, aircraft, currency, or other personal property or contraband article which has been used, is being used, or was intended to be used in violation of its provisions.
- B. Currency/Negotiable Instruments** - Refer to GO701.10 (f) Currency Handling Procedures.
- C. Personal Property** - Personal property is defined as, but not limited to vehicles, guns, jewelry, electronics, furniture, computers, televisions, etc.
- D. All Real Property** - Real property is defined as homes, business structures, real estate, or land.
- E. Contraband Article** - Anything described in section 702.2 of this directive and a probable cause connection or nexus has been established between the article and the prescribed felony criminal offense.
- F. Bona Fide Lien holder** - means the holder of a lien perfected pursuant to applicable law.
- G. Promptly Proceed** - means to file the complaint within 45 calendar days after seizure.
- H. Complaint** - is a petition for forfeiture filed in the civil division of the circuit court by the seizing agency requesting the court to issue a final judgment of forfeiture.
- I. Person Entitled to Notice** - means any owner, entity, bona fide lien holder, or person in possession of the property subject to forfeiture when seized, who is known to the seizing agency after a diligent search and inquiry.
- J. Adversarial Preliminary Hearing** - means a hearing in which the seizing agency is required to establish probable cause that the property subject to forfeiture was used in violation of the Florida Contraband Forfeiture Act.
- K. Forfeiture Proceeding** - means a hearing or trial in which the court or jury determines whether the subject property will be forfeited.

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K. Claimant - means any party who has proprietary interest in property subject to forfeiture and has standing to challenge such forfeiture, including owners, registered owners, bona fide lien holders, and titleholders.

702.2 General Forfeiture Rules

- A. Drug Forfeitures** - The Florida Contraband Forfeiture Act allows seizure and forfeiture of any controlled or other substance, device, paraphernalia, or currency or other means of exchange that was used, was attempted to be used, or was intended to be used in violation of any provision of Chapter 893, Florida State Statutes, if a connection can be clearly demonstrated between article(s) seized and the narcotics activity. Any vessel, vehicle, aircraft, or drug paraphernalia as defined in which has been or is being used in violation of any provision of this chapter or in, upon, or by means of which any violation of this chapter has taken or is taking place may be seized and forfeited as provided by the Florida Contraband Forfeiture Act. [FSS 893.145](#)
- B. Real Property** - All real property, including any right, title, leasehold interest, and other interest in the whole of any lot or tract of land and any appurtenances or improvements, which real property is used, or intended to be used, in any manner or part, to commit or to facilitate the commission of, or which real property is acquired with proceeds obtained as a result of, a violation of any provision of this chapter related to a controlled substance described in [FSS 893.03 \(1\) or \(2\)](#) may be seized and forfeited as provided by the Florida Contraband Forfeiture Act except that no property will be forfeited under this paragraph to the extent of an interest of an owner or lien holder by reason of any act or omission established by that owner or lien holder to have been committed or omitted without the knowledge or consent of that owner or lien holder.
- C. Money and Items of Value** - All moneys, negotiable instruments, securities, and other things of value furnished or intended to be furnished by any person in exchange for a controlled substance described in FSS 893.03 or a listed chemical in violation of any provision of this chapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of any provision of this chapter or which are acquired with proceeds obtained in violation of any provision of this chapter may be seized and forfeited as provided by the Florida Contraband Forfeiture Act, except that no property will be forfeited under this paragraph to the extent of an interest of an owner or lien holder by reason of any act or omission established by that owner or lien holder to have been committed or omitted without the knowledge or consent of that owner or lien holder.

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- D. Other Data** - All books, records, and research, including formulas, microfilm, tapes, and data which are used, or intended for use, or which are acquired with proceeds obtained, in violation of any provision of this chapter related to a controlled substance described in FSS 893.03 (1) or (2) or a listed chemical may be seized and forfeited as provided by the Florida Contraband Forfeiture Act.
- D. DUI DL Suspensions** - [FSS 322.34](#) authorizes the seizure and forfeiture of a vehicle where the driver is arrested under [FSS 316.193](#) AND their driver's license is suspended, revoked or canceled as a result of a prior DUI CONVICTION. This does NOT include administrative suspensions, refusal to submit to an approved test, or other reasons.
- E. Motor Vehicle Crimes** - [FSS 319.33](#), Criminal offenses involving vehicle identification numbers, applications, certificates, papers; penalty. [FSS 932.702](#) makes it unlawful to transport, conceal, or possess contraband articles or to acquire real or personal property with contraband proceeds; use of vessel, motor vehicle, aircraft, other personal property, or real property.
- F. Saltwater & Fisheries** - Confiscation, seizure, and forfeiture of property and products property used in connection with a violation resulting in a conviction for the illegal taking, or attempted taking, sale, possession, or transportation of saltwater products is subject to seizure and forfeiture as part of the commission's efforts to protect the state's marine life. Saltwater products and seines, nets, boats, motors, other fishing devices or equipment, and vehicles or other means of transportation used or attempted to be used in connection with, as an instrumentality of, or in aiding and abetting such illegal taking or attempted taking are hereby declared to be nuisances. [FSS 379.337](#)

702.3 General Procedures - The following are standardized procedures used in seizing, maintaining, and forfeiting assets pursuant to the provisions of the Florida Contraband Forfeiture Act (FCFA), Chapter 932 Florida State Statutes to ensure that seized property is seized and maintained in an efficient and lawful manner and to provide an orderly process for the seizure in accordance with law. Personnel will receive training as required by the FCFA in regards to forfeiture search and seizure, and other constitutional requirements. Personnel will familiarize themselves with the FCFA, Chapter 932 of the Florida State Statutes.

- A. Initial Seizure** - The initial seizure for forfeiture determination will be made by the seizing officer's supervisor or the next person in his/her chain of command. (All sworn officers will receive basic Asset Forfeiture training provided by the Asset Forfeiture Unit (AFU). The AFU will be notified on the date of seizure, via e-mail that a seizure has taken place. The name of the

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seizing officer, and the property seized will be included in the e-mail. The seizing officer can also address any questions at this time.

1. At the time of seizure, the officer who seized the property will provide a copy of the Notice of Seizure and Right to Adversarial Preliminary Hearing to any person known to have an interest or claim to the property. If such person is present, the form will be completed and hand delivered. A signature from the claimant will be obtained or if the claimant refuses to sign, so indicate, "Refuses to sign". If the person is not present, the notice will be forwarded immediately to the Asset Forfeiture Unit who will then forward the notice by certified mail, return receipt requested.

2. The original Notice of Seizure and Affidavit of Forfeiture will be turned in to the AFU within 24 hours of seizure. In the case of a weekend and a Notary is not available, the Affidavit can be turned in on the next business day. It is imperative the AFU be advised of all seizures and whether the interested parties have been notified. There are only five calendar days to get a Notice of Seizure in the mail.

- (a) The affidavit and notice will be emailed to the Asset Forfeiture Unit. If the Notice of Seizure and Affidavit of Forfeiture are not received by the AFU within 24 hours, the case officer's chain of command will be notified via email for following up and compliance.

3. As soon as the case report is complete and approved provide a copy to the AFU.

B. Real Property - The Agency Asset Forfeiture Unit will discuss with the Chief of Police, any forfeiture contemplated against real property. No real property will be seized without prior judicial determination of probable cause. Homesteaded real property is exempt from seizure under the Florida Constitution.

C. Personal Property - When personal property is seized for forfeiture, probable cause supporting the seizure must be promptly reviewed by the Asset Forfeiture Unit. Legal counsel must be notified as soon as possible of all seizures and shall conduct a review to determine whether there is legal sufficiency to proceed with a forfeiture action.

D. Case Packages - All documentation (case packages) associated with seizures will be forwarded to the Asset Forfeiture Unit who will be responsible for coordinating and follow-up forfeiture procedures. In his/her absence, the paperwork will be forwarded to the designee specified by the AFU.

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E. Criminal Arrest - A seizure may occur only if the owner of the property is arrested for a criminal offense that forms the basis for determining that the property is contraband under section 932.701 unless one or more of the following exceptions applies:

1. The owner of the property cannot be identified after a diligent search, or the person in possession of the property denies ownership and the owner of the property cannot be identified by means that are available to the employee or agent of the seizing agency at the time of the seizure; or
2. The owner of the property is a fugitive from justice or is deceased; or
3. An individual who does not own the property is arrested for a criminal offense that forms the basis for determining that the property is a contraband article under FSS 932.701 and the owner of the property had actual knowledge of the criminal activity; or
 - a. Actual knowledge - evidence that an owner received written notification from a law enforcement agency and acknowledged receipt of the notification in writing that the seized asset had been used in violation of the Florida Contraband Forfeiture Act on a prior occasion by the arrested person, may be used to establish actual knowledge.
4. The owner of the property agrees to be a confidential informant; or
 - a. The seizing agency may not use the threat of property seizure of forfeiture to coerce the owner of the property to enter into a confidential informant agreement.
5. The property is a monetary instrument (cash, check, prepaid or stored value card, etc.).

Any prospective seizure of assets without a corresponding criminal arrest will be brought to the attention of the Division Commander in the seizing officer's respective Division for review and approval.

F. Settlements - The determination of settlements is as follows:

1. All settlements must be personally approved by the Chief of Police. If the Chief is unavailable and a delay would adversely affect the settlement, approval may be given by a person the Chief has designated to grant such approvals.

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2. Settlements involving assets valued at more than \$20,000.01 will trigger a settlement conference including at least two of the following: the Asset Forfeiture Unit, the case officer, the Division Commander, and the Chief of Police.
 3. The Asset Forfeiture Unit is authorized to request an Agency check requisition through the City Finance Department for cash settlements paid to the defendant; their designee, i.e., an attorney in the forfeiture case. These checks should be cut within two weeks of request.
 4. The Asset Forfeiture Unit or designee is not authorized to receive or disburse settlement transactions with currency.
- G. Use Prohibited** - Seized property may NOT be used for any purpose until the rights to; interest in, and title to the seized property are in accordance with the Florida Contraband Forfeiture Act. This does not prohibit the use or operation necessary for reasonable maintenance of seized property. Reasonable efforts will be made to maintain seized property in such a manner as to minimize its loss of value.
- H. Legal Review** - The City Attorney's Office will periodically review the seizure of property, as well as settlements and forfeiture proceedings initiated to determine whether such seizures, settlements and forfeitures comply with the Florida Contraband Forfeiture Act. Such review will occur at least annually. If the review suggests deficiencies, the City Attorney's Office will inform the Chief of Police of the methods that may be used to ensure compliance with the Act.
- I. Avoid Impropriety** - The Asset Forfeiture Unit will avoid the appearance of impropriety in the acquisition, sale, retention, or transfer of any forfeited property or proceeds derived from such property.
- J. Training** - All members involved in forfeiture proceedings will receive periodic training. This training will address basic asset seizures procedures. This training is in addition to that received by during mandatory training at the academy.

702.4 Basis for Seizure of Property

- A. Florida State Statute** - States that it is unlawful to transport, conceal, or possess contraband articles or to acquire real or personal property with contraband proceeds; use of vessel, motor vehicle, aircraft, other personal property, or real property. It is unlawful per [FSS 932.702](#):

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1. To transport, carry, or convey any contraband article in, upon, or by means of any vessel, motor vehicle, or aircraft.
2. To conceal or possess any contraband article.
3. To use any vessel, motor vehicle, aircraft, other personal property, or real property to facilitate the transportation, carriage, conveyance, concealment, receipt, possession, purchase, sale, barter, exchange, or giving away of any contraband article.
4. To conceal, or possess, or use any contraband article as an instrumentality in the commission of or in aiding or abetting in the commission of any felony or violation of the Florida Contraband Forfeiture Act.
5. To acquire real or personal property by the use of proceeds obtained in violation of the Florida Contraband Forfeiture Act.

702.5 Procedures for Seizure of Personal Property

- A. Property may NOT be seized UNLESS there is probable cause to believe that:
 1. The item subject to seizure has been used, was attempted, or intended to be used in violation of any provision of the Florida Contraband Forfeiture Act, or;
 2. Any violation of the Florida Contraband Forfeiture Act has taken place or is taking place in, upon, or by means of the seized property, or;
 3. The item subject to seizure is a contraband article as defined in Chapter 932.701, Florida State Statutes, or other provisions of law or the Florida Contraband Forfeiture Act, or;
 4. The property was used to facilitate the commission of a felony.
 5. The property is proceeds derived from the sale of illegal contraband.
- B. **Probable Cause** - Probable cause seizures taking place at the time of Florida Contraband Forfeiture Act violations may be made without prior judicial approval for personal property. Property not seized at the time of FCFA violations presently located on private premises may be seized only pursuant to a court order authorizing entry onto private premises, unless otherwise authorized by law.

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- C. Ownership** - The seizing officer will make every effort to determine ownership of the property, including the identification of all registered owner(s), title holder(s), bona fide lien holder(s), or other interested parties. Ownership will be verified by the AFU.
- D. Lien Check** - When the item to be seized is a vehicle; the impounding officer will run a lien and status-check and communicate that information to the Asset Forfeiture Unit via e-mail. The VIN number will be accurately and legibly recorded on all appropriate documents, to include but not limited to: the PBPB Seizure and Right to Adversarial Preliminary Hearing Form and the Forfeiture Affidavit.
- E. Notice** - The seizing officer will inform the individual, from whom the property is being seized, that the property is being seized for forfeiture. Persons entitled to notice are defined by Chapter 932.701(e), Florida State Statutes, as any owner, entity, bona fide lien holder, or person in possession of the property ... when seized. A PBPB Notice of Seizure and Right to Adversarial Preliminary Hearing Form will be personally given or sent by certified mail (with a return receipt) within five (5) calendar days from the date of seizure by the Asset Forfeiture Unit. NOTE: The return receipt will become part of the case package.
- F. Department Evidence Procedures** - Any property seized for forfeiture will be handled as provided by Agency directives relating to property and evidence control and vehicle storage and inventory. All receipts, inventory forms and disposition sheets will be marked Hold for Forfeiture. Occasionally, property seized for eventual forfeiture will also need to be held for evidence. This is particularly true in drug cases, where scales, firearms, safes, etc. are seized. It is imperative that the officer makes it clear that such property is to be held as evidence. Evidence holds should be used only when necessary for trial or further investigation. Where dual holds are necessary, the officer will be responsible for promptly releasing evidence holds upon conclusion of the criminal case to enable the forfeited property to be properly disposed of by the Agency. [GO 701](#)
- G. Seizure Form** - A [Notice of Seizure and Right to Adversarial Hearing Form](#) will be completed and provided to the property owner or person from whom the property was seized. A copy of all reports, PBPB Notice of Seizure and Right to Adversarial Preliminary Hearing Form, charging affidavits, and the original [Affidavit of Forfeiture](#) will be provided to the Asset Forfeiture Unit within 48 hours of the seizure via e-mail and original hardcopy.

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NOTE: The officer completing the Affidavit will include the officer's name, ID#, date, time, case number, details of the circumstances of the seizure, detailed description of the seized property, and the probable cause for the seizure. If there were drugs found in the seized property, note the type of drug, the quantity, and street value. If it is known whether the defendant has a legitimate source of income, so indicate. Do not start the affidavit with "On the above date and time, as there is none visible above the PC.

- H. Lab Evidence** - Where a laboratory analysis is necessary to establish the grounds for forfeiture of property, the seizing officer will ensure that the substance is properly submitted to Property and Evidence for delivery to the lab.
- I. Cash Notice** - When cash is seized from a subject for forfeiture purposes, the officer will issue the subject a copy of the completed PBPD Notice of Seizure and Right to Adversarial Preliminary Hearing Form. If the subject refuses to sign the form, so annotate Refused to Sign, provide to AFU who will ensure one goes out in the mail.
- J. Settlement Negotiations** - Under no circumstances will any settlement negotiations be conducted at the time of seizure.
- K. Immediate Settlement** - If the officer believes an immediate settlement offer favorable to the suspect should be considered, the officer will communicate that information to the officer's supervisor. This is usually done during certain drug cases. Additionally, if the person from whom the property was seized is a repeat offender, that information should be provided to the Division Commander and the Asset Forfeiture Unit. Settlements and negotiations will be handled by the Asset Forfeiture Unit. Under no circumstances will the officer handle the negotiation.
- L. Judicial Appearance** - All officers involved in the seizure of property will be available for, and testify at all applicable Adversarial Preliminary and Forfeiture hearings, if such hearings are scheduled and within their ability to attend. The Asset Forfeiture Unit will attend all Adversarial Preliminary Hearings as oftentimes settlements are reached prior to entering the Court. Subpoenas are not served for APHs.

702.6 Storage and Maintenance of Personal Property

A. Vehicle Inventory

- 1. A complete Vehicle Inventory of the vehicle and all containers, open or closed, found therein will be completed by the seizing officer at the time of

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the seizure. Articles of value will be removed and submitted to Property and Evidence for safekeeping. This does not include the removal of stereos and speakers which are permanently part of the vehicle. Articles of insignificant value will be left inside the secured vehicle. Personal property within the vehicle of no evidentiary value, or not subject to a claim of forfeiture, will be returned to the vehicle owner or the vehicle owner's written designee.

2. All vehicles seized for forfeiture will be driven, if possible, to the Agency impound lot. Vehicles will be towed only when driving them is not an option, i.e. the vehicle is a crime scene. The vehicle will be secured and stored at the Agency designated impound yard unless otherwise specified by the seizing officer's supervisor. All vehicles will be backed into a parking spot and any open windows closed or covered securely.
3. Before the vehicle is towed, the officer will annotate the year, make, model, VIN, mileage, condition, and accessories of the vehicle. This will assist in placing a value on the vehicle.
4. The Asset Forfeiture Unit will use the Agency Vehicle Valuation Form to place a value on the vehicle. This form will also be used to determine the amount for any Settlement Agreements if the vehicle is to be released back to the owner.
5. Settlements for vehicles are reached by using the following formula:
 - a. The value of the vehicle is determined by using www.edmunds.com and going to Used Prices and clicking on Appraise A Car. Select the make of the vehicle, the year, the model, and the style. Under Step 1, click on sell, type of color, and the miles (Step 2) any and all optional equipment, (Step 3) choose the condition, however, you cannot choose Damaged. Step 4, use the Department zip code and click Get Pricing Report.
 - b. Three values will come under Step 5. The dealer value is used.
 - c. If there are modifications made to the vehicle, which will enhance its value such as expensive rims, stereo system, paint, these items will be listed individually with a fair market price added to the Base Value.
 - d. The Modified Base Value is concluded by using a percentage based on the condition of the vehicle.
 - Excellent = 25%

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- Clean = 20%
 - Average = 15%
 - Rough = 10%
- e. The following fees (but not limited to) are also assessed to the processing of seized vehicles:
- Seizure File \$10.00
 - Valuation \$10.00
 - Phone Calls (each) \$10.00
 - Certified mailings (each) \$10.00
 - DAVID/DHSMV \$10.00
 - Database searches (each) \$10.00
 - Tow \$144.23
 - Storage (daily) \$20.00
 - Legal Fees (when applicable)
 - Additional fees may be determined at a later date.
- f. It is at the discretion of the Asset Forfeiture Unit whether any of these fees can be waived based on an individual assessment of each situation. The most common instance would be storage fees. Examples are:
- If the individual is available on a particular date to take custody of the vehicle and there is no one from the Police Department available to release the vehicle, additional storage fees will not be assessed.
 - If an agreement is reached on a Thursday, but the owner can't come until the following Monday, storage fees will not be assessed over the weekend.

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- If the settlement is reached and the owner does not come to pick up the vehicle on the date agreed upon, the fees will continue to be assessed thereafter.
- If it is in the best interest for the Agency to waive any of these fees.

6. Following is an example of an actual **Vehicle Valuation Form**:

Vehicle	2001 Ford F-150 4X4 Quad Cab	Date of Seizure
Owner(s)	Joe Doe Mom Doe	5/13/2005

	Quantity	Amount
Base Value		\$13,178.00
Percentage	Clean	20%
Base Settlement		\$ 2,635.00
Seizure File		\$10.00
DHSMV/DAVID		\$10.00
Valuation		\$ 10.00
Phone Calls	1	\$ 10.00
Storage	6 days	\$ 120.00
Certified Mail	2	\$ 20.00
Total Settlement		\$ 2,815.00

7. The seizing officer will complete a Vehicle Tow Form and indicate in the Reason for Hold section Hold for Forfeiture. If the vehicle has an evidentiary value, it must be indicated as such and processed for evidence first.
8. If any personal property seized for forfeiture is also being held as evidence, the officer will indicate this fact on the forfeiture paperwork.
9. If the vehicle is to be processed and it is determined that removal of property might compromise the processing, the seizing officer will be responsible for removing and securing appropriate personal property once the processing has been completed.
10. Any personal property seized as evidence will be handled in accordance with Property and Evidence procedures.

B. Maintenance

1. Reasonable efforts will be made to maintain the property in its time-of-seizure condition.

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2. If special maintenance is required to maintain seized personal property in time-of-seizure condition, as may be necessary with aircraft or vessels, the Logistics Manager will ensure that such maintenance is provided within a reasonable time after seizure, with such care continuing until the conclusion of the forfeiture action. The Logistics Manager will maintain a log on the condition and maintenance of said property and ensure that timely maintenance is performed.
3. The Logistics Manager will take care of all issues related seized vehicles. This includes but is not limited to:
 - a. Obtaining title transfer on vehicles that will be placed into official use.
 - b. Making forfeited or signed over vehicles ready for auction.
 - c. Getting vehicles detailed when necessary to enhance the monetary value of the vehicle at auction. (Case by case basis)
 - d. Additional assignments as necessary
4. Currency seizures pending forfeiture will be placed in the City's interest-bearing deferred account. Currency seized that has an evidentiary value will remain in Property and Evidence.
5. If the claimant does not respond, or if the Notice is returned unclaimed, the money should be processed as abandoned property, or if appropriate, unclaimed evidence.

702.7 Release of Seized Personal Property

- A. Release to Owner** - If the lawful owner or other person prevails at the conclusion of the judicial process, the seized property will be immediately released to the owner. The seizing agency will not assess charges (towing or storage fees, administrative or maintenance costs, or other associated fees) to those persons who prevail at the conclusion of the judicial process.
- B. Maintenance Costs** - In all other instances, if a seized vessel, vehicle, aircraft, etc., is to be released to the lawful owner or other authorized person, the Agency may assess the actual costs of towing, storage, and maintenance of the seized property.
- C. Asset Forfeiture Unit** - It will be the responsibility of the Asset Forfeiture Unit to contact and release the property to its rightful owner as advised by the

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appropriate personnel. In the case of vehicles or vessels, at least two of the following combination of personnel will be present to turn the property over to the registered owner: Asset Forfeiture Unit or Logistics Manager Supervisor, a Materials Management custodian, or an Officer/Agent/Detective.

702.8 Use of Forfeited Items

A. State Forfeiture

1. All forfeited property retained for law enforcement use will be maintained and used in accordance with the Florida Contraband Forfeiture Act, and will be subject to the same controls with regard to property acquired through the Agency's normal appropriation's process.
2. Currency obtained through settlement, court order, or sale of forfeited property will be deposited into the Law Enforcement Trust Fund for use as provided by law.
3. Items forfeited by settlement or court order may be converted to the use of the Agency or sold at auction. No forfeited item will be used or assigned until forfeiture proceedings are complete pursuant to settlement or court order.
4. The Asset Forfeiture Unit will notify the Chief of Police when a vehicle or vessel is awarded to the Agency. The Logistics Manager will be responsible for obtaining clear title and all supporting documentation to enable the proper disposal of the vehicle or vessel. Approval by the Chief must be obtained before any forfeited vehicle is placed in service.
 - a. When property has been awarded to the Agency to be placed into official use, the Asset Forfeiture Unit will provide a Property Disbursement Form to the Chief of Police to determine the appropriate utilization of the property. [<Property Disbursement Form>](#)
 - b. For property awarded and to be used by the Agency, the Materials Management Unit will record the property on the Agency's Master Inventory list and issue the property to the assigned Division Commander.

B. Federal Forfeiture

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1. All property acquired through federal forfeiture proceedings will be used in accordance with the Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies.
2. Guidelines for receiving funds are as follows:
 - a. The agency must:
 - Participate in the investigation;
 - Execute a Federal Sharing Agreement; and
 - Submit an Equitable Sharing request (Form DAG-71) to the federal seizing agency within 30 days.
 - In addition, they must thereafter submit an annual report on property the agency receives by submitting an Annual Certification Report to the Department of Justice and the Department of the Treasury. Meeting these requirements is a prerequisite to the approval of any equitable sharing request.
3. Effective October 1, 1996, the Federal Sharing Agreement must be submitted every three years on or before October 1. The Agreement must be signed by the head of the law enforcement agency and a designated official of the governing body (the institution or organization that has budgetary oversight over the law enforcement agency). By signing the Agreement, the signatories agree to be bound by the statutes and guidelines that regulate the Equitable Sharing Program and certify that the law enforcement agency will comply with these guidelines and statutes.
4. If a change in administration occurs at the state or local law enforcement agency and/or at its governing body within the three-year period of the Agreement, the requesting agency must submit a new agreement.
5. The Annual Certification Report is due 60 days after the close of the requesting agency's fiscal year. Submission of the Annual Certification Report also applies to any agency that had any unspent, previously shared money in a holding account at any time during the fiscal year. The head of the law enforcement agency and a designated official of the governing body must sign the Annual Certification Report. By signing the report, the signatories certify that the accounting of funds received and spent by the law enforcement agency is accurate and in compliance

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with the guidelines and statutes that govern the Equitable Sharing Program.

6. The Department Fiscal Management Unit will be responsible for all financial tracking and reporting associated with Federal Forfeitures according to procedure listed in GO108.3(A).

702.9 Procedures for Seizure of Real Property

A. Assessment - During any investigation and prior to the execution of any search warrant where non-homestead real estate property may have been used in violation of the Florida Contraband Forfeiture Act, the investigator will:

1. Contact the Brevard County Tax Assessors Office to determine who pays taxes on the real estate in question and will obtain a printout of that information;
2. Obtain any mortgage deeds, lien information, and any satisfaction of mortgages concerning the real estate property.
3. Perform a Mortgage Amortization on the property to determine the balance on the mortgage if there is one.

B. Coordination - Seizure of real property will be coordinated through the Asset Forfeiture Unit and the Chief of Police.

C. Consideration Factors - Once probable cause for seizure has been determined, the following factors should be considered in determining whether to seize real property:

1. The potential for successful forfeiture action; and
2. The availability of alternate methods of forfeiture such as joint or adoptive forfeitures with a federal agency; and
3. The impact of forfeiture on targets of a criminal investigation; and
4. The impact of forfeiture on innocent owners, lien holders or other persons not involved in criminal activity; and
5. The impact of forfeiture on the public health, safety, and welfare.

D. Responsibility

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1. The investigator will:

- a.** Provide information to and consult with the Asset Forfeiture Unit regarding the investigation, seizure and management of real property under consideration for seizure;
- b.** Execute necessary forfeiture investigation and research regarding the subject real estate or assist in compiling such information if information is developed by other sources;
- c.** Provide the Asset Forfeiture Unit with the necessary paperwork related to the seizure of the property.
 - An Affidavit for Seizure Warrant for Real Property
 - A Notice of Lis Pendens (litigation pending)
 - A Seizure Warrant for Real Property
 - A Stipulation for Occupancy and Indemnity

2. The Asset Forfeiture Unit will:

- a.** Consult with the investigator, Legal Counsel, and the Division Commander on legal issues pertaining to the real estate pre-filing investigation, real estate seizure and approved forfeiture proceedings.
- b.** Assist in the coordination and scheduling of hearings of real property forfeiture proceedings with Legal Counsel.
- c.** Make recommendations based on information obtained from the investigator.
- d.** Ensure that all policies, procedures, and applicable state laws are adhered.
- e.** Make authorization as to whether to seize real property, and proceed with the real property forfeiture after consultation with Legal Counsel, Chief of Police and the City Manager.
- f.** Authorize expenditure for the maintenance and management of real property pending final disposition.

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- g. Approve a plan for the management of real property pending final disposition.
- h. Accept or reject any proposed settlement offers as authorized by the Chief of Police.

E. Pre-Seizure Planning

1. Prior to seizing any real property, the Investigating Officer will ensure a Chain of Title has been completed to determine the true ownership of any real property under consideration for forfeiture. Included in the Chain of Title will be all mortgages, satisfaction of mortgages, liens, judgments and Property Appraiser assessments on the property, which will assist in assessing the Fair Market Value.
2. The Asset Forfeiture Unit will be responsible for determining the value and equity of the real property. The estimated value may be based upon an appraisal or recent market price of the property or of market values of comparable property, which are subject to forfeiture and the amount of income generated by any business located on the property.
3. The Asset Forfeiture Unit will make all efforts to obtain either a letter of commitment to provide title insurance from a title insurance company or an Ownership and Encumbrance report.
4. The Asset Forfeiture Unit will compile a proposal for the management of real property that will be submitted with the recommendation for seizure and forfeiture to the Chief of Police. The Real Property Forfeiture Proposal Form will be used for this purpose in addition to other documentation.

F. Budgetary Considerations

1. No real property will be seized for forfeiture unless funds are available from existing appropriations for the maintenance and management of the property pending final disposition of the forfeiture.
2. No real property will be considered for forfeiture that is considered environmentally unsafe.
3. The Logistics Manager will keep detailed records of all expenditures made for the maintenance and management of real property.

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G. Management of Real Property

1. Upon seizure, or as soon as practical thereafter, an inventory of the contents of any seized real property will be conducted by the Logistics Manager and Investigating Officer.
2. The Logistics Manager will coordinate with the Asset Forfeiture Unit all maintenance and management of real property pending final disposition. Any necessary repairs will be coordinated through the Support Services Supervisor.

H. Disposition of Real Property

1. If at the conclusion of the judicial process, the Palm Bay Police Department prevails and a judgment of forfeiture is issued, the Agency's ownership interest in the property should not be considered completed until the time for an appeal is filed. All appeals should be finalized prior to the Agency's ownership interest in the property is considered completed.
2. Once a final judgment of forfeiture has been obtained by the Agency and the time for appeals has passed, or appeals have been resolved in favor of the Agency, title to real estate will be received in the name of the City of Palm Bay.
3. Real estate forfeited to the Agency under the Florida Contraband Forfeiture Act may be retained, utilized, transferred, donated, or sold in a manner authorized by the Florida Contraband Forfeiture Act and/or relevant statutory provisions.
4. From the proceeds of the sale of any forfeiture real property, the following costs will be paid or funds from which payments have been previously made will be reimbursed:
 - a. Costs of litigation
 - b. Costs of maintenance and management
 - c. Any other cost or legal fees incurred by the Agency

702.10 Accounting for Forfeiture Proceeds

- A. Law Enforcement Trust Fund** - The Agency will follow all guidelines set forth in Chapter 932.7055, Florida State Statutes. Proceeds will be deposited into a special law enforcement trust fund for use as provided by law.

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1. Federal Forfeitures are deposited into a separate account (Federal Law Enforcement Trust Fund).
 2. State Forfeitures are placed into a separate account (Law Enforcement Trust Fund).
 3. The Fiscal Management Unit is responsible for ensuring:
 - a. All state and federal accounting mandates and guidelines will be followed.
 - b. All forfeited property/monies are deposited into the appropriate accounts. The FMU is in charge of all monies seized for forfeiture. The FMU will ensure all funds seized for forfeiture are deposited within 72 hours from the seizure date and ensure all directives are followed pursuant to GO 701.
 - c. All forfeited property/monies are used and disposed of according to all applicable federal and state laws.
- B. Authorized Expenditures** - Such proceeds and interest will be spent for, but not limited to; school resource officer, crime prevention, safe neighborhood, drug abuse education, or drug prevention programs or such other law enforcement purposes as the City Manager, City Council and Chief of Police deem appropriate. These funds will NOT be used to meet normal operating expenses of the Agency.
- C. Approval** - Funds from the Special Law Enforcement Trust Fund may be expended only upon request by the Chief of Police to the City Council, accompanied by a written certification that the request complies with the provisions of Chapter 932.7055, Florida State Statutes.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Cost Recovery Program	Order No: 704	
Rescinds: GO 704 Revised 08/16/12	CFA 5th:	Revised: 04/22/15
Reference: <u>Cost Recovery Form</u>, <u>Crime Scene Technicians Cost Recovery Form</u>		

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Section	Description
704	<u>Policy</u>
704.1	<u>Florida State Statute on Recovery of Costs</u>

704 Policy

- A.** The funding to provide law enforcement and emergency services is primarily provided by law abiding tax payers. In order to help alleviate the ever increasing need for funding from tax revenue to provide these services, the Agency has taken a proactive position to recoup investigative expenditures from convicted criminals.
- B.** This directive provides for a process to document and request investigative costs as allowed by 938.27.
- C.** The guidelines established within this policy apply to all sworn and non-sworn members of the Palm Bay Police and Fire Departments.

704.1 Florida State Statute on Recovery of Costs - Florida law provides for the recovery of investigative and prosecution costs incurred by Law Enforcement Agencies and Fire Departments. If so requested and properly documented, Investigative Costs can be included and entered into final judgments against defendants charged and prosecuted for having committed a criminal act. Costs of investigations, arrests, prosecution, can be determined during plea bargaining agreements or final sentencing by the assigned judge.

704.2 Procedures: All Sworn Personnel

A. Filing a Request

- 1.** As part of the completion of any charging document (to include criminal citations) the member will complete a cost recovery request. If the

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charges will be presented on a 923.01, the investigating officer(s) will fill in all blank spaces provided within the total hours worked on the investigation, the officer's salary cost per hour, miles driven and the cost of all miles driven, and finally the total sum of all costs for each (923.01) charging document that is completed. However, in cases that a juvenile is the suspect and has committed a crime against their parents (i.e. domestic violence), the Cost Recovery Form **must not** be completed.

2. Costs are calculated based upon the Agency's [Cost Recovery Form](#). Officers will use the form to document costs incurred. The Cost Recovery Request Form will be sworn to and forwarded to Records with the original police report.
 3. Officers will record costs and expenditures in a reasonable manner. Inflating costs, hours, or expenditures will not be tolerated and will be subject to review. Cost Recovery requests will not be based upon the arrestee's race, creed, color, national origin, religion, apparent ability to pay, age, gender, the criminal offense committed, or their attitude displayed towards the officers. Cost Recovery will be based upon factual information and actual expenses incurred.
 4. If additional investigative costs are incurred after the arrest has been made, the additional costs will be documented on a supplement narrative report form, along with a Cost Recovery Form. The supplement and form will be forwarded to Records Section. Records personnel will ensure the information is forwarded to the State Attorney's Office for inclusion in the case report and to be available at time for the Judge's final sentencing.
 5. Officers and Investigators conducting long-term investigations, to include Traffic Homicides, will document all costs incurred during the investigation (to include overtime, straight time, travel, supplies, mileage, etc.) on a Cost Recovery Form as outlined in paragraph 4.
- B. Supervisors' Responsibility** - Supervisors will screen ALL charging documents to ensure compliance with this directive and that all forms submitted are correct and complete. After reviewing each report, the supervisor will place his/her initials and ID number on the Cost Recovery form, under the ID# of the Officer/Investigator. Supervisors must ensure the correct investigative cost amount is stated on the cost recovery form within the specified section of the [\(923.01\)](#) charging document for either an arrest or request for capias.

C. Investigations Division

1. In cases where officers conducted the initial or preliminary investigation that did not lead to an arrest and the case is turned over to the

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Investigations Division for follow-up, all investigative costs incurred during the follow-up will be documented. The investigating officer completing the booking package (arrest paperwork or capias request) will specify the costs of both initial investigation and his/her own follow up investigation. The total cost incurred will be documented at the end of the probable cause narrative of the arrest/capias paperwork (923.01) and as explained in paragraph 704.2 (A) (2).

2. In those instances where a patrol officer made an arrest and the Investigations Division conducts follow-up investigation, the cost of the detective's effort will be documented on a supplement report, along with a Cost Recovery Request and forward it to Records Unit. Records will forward the paperwork to the State Attorney's Office as a supplement for inclusion in the judgment.
3. The investigating officer's supervisor will verify that the Investigator has documented both the initial and supplemental investigative fees in the probable cause narrative section of the arrest/capias paperwork along with completing the Cost Recovery Request form.

D. Fire Department

1. All investigative costs incurred from the investigation of arson cases by the Fire Department will be documented on the Cost Recovery Request Form.
2. The Fire Marshall will provide the lead investigator(s) with appropriate documentation of costs incurred for inclusion in the case file.
3. The investigating officer(s) completing the arrest/capias will include those costs incurred, by the Fire Department, during the investigation. These costs will be documented in the probable cause or narrative section of the arrest/capias paperwork charging document, along with a Cost Recovery Request Form.
4. The investigating officer's supervisor is responsible to review the investigative costs are properly documented and that the paperwork is forwarded to the Records Division.

E. Supplemental Costs - In certain special cases, which involve extensive and prolonged investigations and/or require considerable expenditures, the primary investigating officer's supervisor will ensure accurate records and files are kept on such incidents that captures actual costs incurred. Upon conclusion of such investigation(s) and subsequent arrest(s) or request for capias(s), the supervisor will provide the officer/investigator with the total amount of itemized expenses. These costs for special equipment or supplies should be included on the Cost Recovery form. A brief description

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or explanation of these costs should be noted as well in the (923.01) within the pre-printed area as provided on the form. The investigating officer's supervisor will make certain a Cost Recovery form's worksheet is prepared and forwarded to the Records Division.

F. Crime Scene Unit Cost - A separate and distinct crime scene recovery cost form will be completed whenever any costs are incurred as the result of an investigation by a Crime Scene Technician. The technician who performs the investigation should include all costs of his or her working hours, and all monetary charges that are specific costs to the investigation; i.e. items utilized, test kits, tools, etc. The Crime Scene Cost Recovery Form is mandatory for any cases where a crime scene technician responds and charges are filed or an arrest is made. The Crime Scene Technician will submit their cost recovery form with their supplement report.

G. Records Unit

1. Records personnel ensure that the necessary Report Forms and Investigative Cost Recovery Request Forms are forwarded to the State Attorney's Office with the case report. This responsibility is essential to the program in that the State's Attorney handling the case knows to ask for Investigative Costs during plea-bargaining or final sentencing.
2. Disposition of Forms:
 - a. Original copy of the [923.01](#) and Cost Recovery Form is filed with Case Report.
 - b. A copy is forwarded to SAO with 923.01.

H. Investigative Cost Recovery Manager (ICR Manager)

1. The ICR Manager will serve as the Department's liaison with the Clerk of Court, State Attorney's Office, Parole and Probation Office, and the City's Finance Department in tracking and following ICR Requests, payments, and those defendants failing to pay their court ordered costs.

NOTE: Recovery costs are paid by the Defendant directly to the Brevard County Clerk of Courts office or the Department of Corrections who then forward the monies to the Palm Bay Police Department.

2. An annual report will be completed at the end of each fiscal year.
3. The ICR Manager is responsible for maintaining a database that:

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- a. Records court case numbers and amount ordered to be paid to the Palm Bay Police Department during final sentencing or plea bargain agreements as shown on final dispositions issued by the SAO.
- b. Tracks payments received from the Clerk of Court, Department of Corrections, and payments made directly to the Palm Bay Police Department as part of a plea agreement.
- c. Issues monthly reports of payments received.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Facilities Security and Maintenance	Order No: 706	
Rescinds: GO 706 Revised: 05/04/16	CFA 5th:	Revised: 09/07/16
Reference: GO 211, 302 ,305		

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706	<u>Policy</u>
706.1	<u>Responsibilities</u>
706.2	<u>General Rules</u>
706.3	<u>Building Security</u>
706.4	<u>Sally Port Operation</u>
706.5	<u>Mail Handling</u>

706 Policy

- A.** The Agency will make every effort to maintain functional equipment and provide a safe, secure and clean work area in order to enhance Agency members' job satisfaction and pride, and to maximize, through proper care and maintenance, Agency facilities and equipment. The appearance of a police facility reflects the operating efficiency of the Agency and the members who work there.
- B.** All members have an individual responsibility toward the proper care of City property and equipment, whether assigned to them or not.
- C.** All members have an individual responsibility for the security of Agency facilities and equipment. Members are expected to challenge or report unauthorized person(s) in the building and other security breaches, including unsecured doors/windows to restricted areas. Secured entrances will not be left open or unattended for the convenience of easy ingress or egress.
- D.** This Directive applies not only to Police Headquarters, but also to any facilities owned, leased, or rented by the Agency.

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- E. Agency members, City of Palm Bay employees and authorized persons will not permit anyone to possess, use or share their issued building access key, access codes or issued identification. Stolen or lost keys and identification will be reported immediately to the Communication Center who will initiate a CFS and contact the Facility Maintenance Manager.

706.1 Responsibilities

A. Department Facilities, Property and Equipment

1. Members are responsible for the proper use, care and security of City-owned facilities, property and equipment assigned to them, used by them, or under their control.
2. The criteria for determining proper use and care are the presence or absence of negligence, indifference, ignorance or carelessness on the part of the member.

- B. Inspections** - Members will inspect their work areas prior to use or tour of duty, and will immediately report any defects or hazardous conditions to their supervisor.

706.2 General Rules

- A. Requests for Repairs/Maintenance** - Any requests for facilities maintenance or repairs, grounds upkeep, or janitorial services will be directed to the Facilities Maintenance Manager.
- B. Use of Equipment/Facilities** - Members will utilize Agency equipment and facilities only for its intended purpose and in accordance with established Agency procedures. They will not damage, intentionally abuse or deface Agency facilities. Members will not intentionally damage or lose equipment. All Agency equipment will be properly maintained. When a member becomes aware that any Agency facility or equipment is found to be non-functional, damaged or defaced, they will immediately report the problem to their supervisor. It will be prima facie evidence of neglect through carelessness or lack of responsibility on behalf of the member if the lost or damaged item or facility is not immediately reported. [GO 401](#)
- C. Clean Work Areas** - All individual areas and offices will be kept clean and presentable.
- D. Personal Mail** - Members will not use the Agency address or letterhead for private mail or any other unauthorized purposes. However, the Agency

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address may be used as provided by law for law enforcement personnel and confidentiality of address, e.g. driver's license, property tax records, vehicle registration.

- E. Phone Use** - Agency telephones are for use in conducting Agency business. Members are strictly prohibited from accruing long distance charges for personal calls.
- F. Inspection** - Agency equipment such as lockers, desks, files and cabinets are subject to inspection at any time.
- G. Cleanliness** - Cleanliness of public areas is the responsibility of the divisions, sections and individuals using those areas.

H. Smoking and Tobacco Products

1. Smoking, including E-Cigarettes or vapor producing devices, is prohibited within ALL City buildings and vehicles. Smoking is permitted outside in designated areas only.
2. When smoking in permitted areas, members are required to use ashtrays or other fireproof receptacles to guard against fire and to maintain good housekeeping.
3. Members who see a member of the public smoking within any NO SMOKING area should politely inform the person that the area is designated NO SMOKING and should direct that person to the nearest smoking area.
4. Members may use tobacco products while on duty provided they exercise discretion and good judgment so as not to offend others. Spitting in the presence of others or maintaining spittoons in City buildings visible to others is prohibited. Under no circumstances will tobacco products be visible to the general public or in the mouth while in direct contact with the public.

706.3 Building Security for Headquarters and Satellite Facilities

- A. Lock Doors** - All outside entry doors, with the exception of the door to the main lobby, will be kept closed and locked at all times.
- B. Sensitive Areas** - All offices and storage areas with sensitive information or equipment will be locked when not occupied. Cleanliness of those areas is the responsibility of the assigned members.

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C. Communications Center Access - The Communication Center is a restricted access area and limited to the following:

1. Personnel assigned to the Communications Center.
2. Supervisory personnel.
3. Others specifically authorized by Communications Section supervisory personnel. [GO 302](#)

D. Records Unit - Except during emergencies inside the Records Unit, access to this area will be restricted. Authorized access procedures are provided in the Records Operations [General Order 305](#).

E. Visitor Control Procedures - All persons, other than Agency and City of Palm Bay members wearing an authorized uniform, badge or identification and reoccurring visitors displaying proper identification, must enter through the main lobby and be logged in the automated Visitor Pass System at the Front Desk. Escorted visitors must also be logged in. Issued Visitor Passes expire at the end of the calendar day at 0000 hours and will not be used again. Persons attending training classes in the building will be issued an "Escorted" Visitor Pass on each day they report for training. The pass will be in effect for the entire day and returned to the Front Desk at the end of the day. Members responsible for issuing and/or accessing the automated Visitor Pass System will receive required training prior to use. [<Visitor Control Checklist>](#)

1. This applies to employee's family members not in the direct presence of the employee.
2. This would not apply in circumstances when a confidential informant is meeting with an investigator. The investigator accepts full responsibility for the informant and will provide a constant escort while in the building.
 - a. In these cases, the member accepting the visitor will provide the front desk operator with the informant's identification number.
 - b. If it is a new informant without an identification number, the member accepting the visitor will provide the front desk operator with the identification number when assigned.
 - c. However, if the member accepting the visitor feels that revealing any information about the informant would jeopardize an investigation or

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their safety, the member will advise that they are not disclosing the information. In these situations, the member accepting the person will be notated in the Visitor Pass System as accepting a "visitor" with no identifying information described.

F. Front Desk Operation - The Front Desk will be manned during normal business hours, Monday thru Friday, 0800 to 1600hrs, excluding City holidays. The member assigned to the Front Desk will require proper identification from, and authorization for, any person who requests entrance into the police station. As provided in "E", visitors will log in the Visitor Pass System and issued the appropriate Visitor Pass. The Front Desk operator will then contact the appropriate member to verify the person's authorization. Visitors will get logged out and return the pass before leaving thru the front lobby. Any visitor exiting the building after 1600hrs must be logged out and return their pass to their respective "host". Anyone attending training that concludes after 1600hrs must be logged out and return their pass to a designated member of the Training Section.

G. Persons Not Required to wear a Visitor Pass (or entry through front lobby)

1. Any Agency or City member displaying official photo identification.
2. Members of other law enforcement agencies displaying the official identification of their agency.
3. Prisoners are brought in through the Sally Port must be in the detention area or an approved interview area and under the control of a sworn member.
4. Any previously approved ride-along while in the presence of a member of the department.

H. Persons Required to wear an Unescorted Pass (Blue in Color)

1. Members of other law enforcement agencies **not** displaying the official identification of their agency.
2. Authorized maintenance or repair workers - The Facility Maintenance Manager will advance notify, via email, all building members the details on when the repair workers will be in the building and what they are repairing.
3. **Family members not in the direct company of the employee. The employee must verify that the person is a family member.**

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- I. **Persons required to wear an Escorted Pass (Red in Color)** - Any person not listed in 706.3 G or H will wear an escorted visitor's pass and must be in the company or control of an Agency member at all times. **Any visitor without a pass, or one wearing an escorted pass without an escort, will be questioned and appropriate action taken to comply with this regulation.**
- J. **Display ID - Agency members not in uniform, whether on or off duty, will wear their badges or identification cards on the front of their body, at least waist high. This will also apply to undercover officers.**
- K. **Security Checks** - Desk Booking Specialists and the on-duty Commanders or Lieutenants have primary responsibility for station security. From time to time during their shift, they will check the interior of the building. These security checks will be documented in the pass along log.

706.4 Parking Lot Security Procedures

- A. **Access Restrictions** - Only authorized City employees, Agency members and authorized members of outside agencies or vendors will enter and park their vehicles in the secured gated area of Headquarters or District Offices.
- B. **Security Gate Operations** - The employee parking area, Detention Facility, and compound will be in a protected area where admittance via the security gate is necessary. Entrance will be granted by the entering of a specific code into the keypad. To minimize traffic backup, the entry gate may remain in an open status from 0545 to 1800hrs Monday through Friday. All vehicles will leave through the exit gate which is motion activated.
- C. **Parking** - All authorized personnel will park in the areas assigned by the Facilities Maintenance Manager.

706.5 Sally Port Operation

- A. **Entrance** - For purposes of picking up or discharging prisoners, all officers will enter the complex at the extreme east entrance (east of the Fire Department). Prisoners who are released from the station, and not transported by an officer, will be escorted to the front lobby.
- B. **Secure Sally Port** - Unless the gates are malfunctioning, no prisoner will be placed into or removed from any police vehicle until the sally port is secure.
- C. **See Prisoner Care [GO 211](#) for prisoner processing procedures.**

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D. Parking Vehicles - Units will not be parked unattended in such a manner as to restrict the free use of the sally port.

E. Sally Port Area - This area will not be utilized as a storage area for equipment, supplies or evidence.

706.6 Digital Video Surveillance System - Video cameras will be located in several critical areas throughout the police department and outside the building. The control center will be located in the Communications Center for 24 hour monitoring capability. Additionally, any Supervisor (Sergeant and above) and Desk Booking Specialist can access the surveillance system on their computers for additional monitoring capabilities. The audio and video recordings from these cameras are stored on a central server utilizing a perpetual storage concept. Storage will range to a maximum of forty-five days depending on the amount of activity at each location. Requests for recordings will be directed through the Facilities Maintenance Manager and is tracked by date and time of the event.

706.7 Mail Handling

A. Care in Handling - This section will outline preventative and protective measures that will be taken by individuals when handling mail, packages, and other containers received by the Agency. Every member, who opens mail, packages, or sealed containers, will review the protocol for handling mail. Care will be used when inspecting each item prior to and during the opening of the mail, package, or container.

B. Suspicion Indicators - Any mail that is sealed using tape will be suspect. The reasoning, per the FBI, is an individual who is targeting a particular group will seal the envelope and/or package to ensure that the contents are not released prior to the envelope and/or package reaching the specified destination. Obviously if the contents are released beforehand they can and will be discovered. It is important that everyone use care with any mail or packages sent or received. The likelihood of you ever receiving a bomb in the mail is remote. However, it is unfortunate that a small number of explosive devices have been mailed over the years. Keep in mind that a bomb can be enclosed in either a package or an envelope and its outward appearance is limited only by the imagination of the bomber. Some motives for mail bombs include revenge, extortion, love triangles, terrorism, and business disputes.

C. Suspect Mail/Packages

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1. Any letter or package that has suspicious or threatening messages written on it.
2. Packages of unusual weight or shape, soft spot, or bulges.
3. May be heavy, lopsided, rigid, appear uneven, be stained or emit a peculiar odor.
4. Package may make a sloshing sound, although placed devices may tick, mail bombs generally do not.
5. Pressure or resistance may be noted when removing contents from an envelope or package.
6. Unexpected envelope or package from foreign countries.
7. Excessive, no postage or non-cancelled postage.
8. Cancellation or postmark may show a different location than the return address.
9. Endorsements such as "Personal", "Private" or "Confidential".
10. Addressee's name or title misspelled or incorrect.
11. Return address missing or not complete.
12. Handwriting may be distorted or name and address may be on a homemade label of cut and paste letters.
13. Excessive weight or audible noise (humming, ticking, etc.).
14. When in doubt, treat as suspicious.

D. Mail/Package Handling Procedures

1. Protective Equipment for Handling Suspect Mail/Packages - It is important that everyone use care with any mail or packages received. An individual will take additional precautions such as wearing protective gloves and may wish to use other protective items. All items listed below will be readily available, they are, but not limited to:
 - a. Plastic bags

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- b. Gloves
 - c. Surgical mask
 - d. Lysol Antibacterial Gel or Purell Hand Sanitizer
 - e. Paper towels
 - f. Plastic containers (box with securable top, Tupperware, other suitable container)
2. The item will be opened outside the building away from the wind and pedestrian traffic.
3. Procedures for Handling Letter Bomb and/or Chemical Packages - Keep in mind that a bomb can be enclosed in either a package or an envelope and its outward appearance is limited only to the imagination of the bomber. If you have any reason to believe a letter or package is suspicious, **DO NOT TAKE A CHANCE OR WORRY ABOUT POSSIBLE EMBARRASSMENT** if the item turns out to be innocent.
- a. **Letter Bomb** - How to Handle
 - **DO NOT OPEN!**
 - Isolate the mail and evacuate the immediate area.
 - Do not put water or confine in spaces such as a desk drawer or filing cabinet.
 - If possible open windows in immediate area to assist in venting potential explosive gases.
 - Leave the area and call 911 for professional assistance.
 - Notify immediate supervisor.
 - b. **Chemical** - How to Handle
 - Examine unopened envelopes for foreign bodies or powder.
 - Note specifics of the letter or packages including exact location.

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- If mail is suspicious, **REMAIN CALM, DO NOT OPEN TOUCH, SHAKE, SMELL, OR TASTE** the suspicious letter or package.
- Should you notice powder and are already holding the item, place it in an appropriate container (plastic bag, container, etc.).
- Evacuate the room and notify appropriate authorities by calling 911 (from a city phone, 9 + 911).
- Do not touch your eyes, nose, or any other part of your body.
- If possible, wash your hands thoroughly with soap and water OR use the gel to clean your hands.
- Dispose of all items used to clean hands (i.e. gel bottle, soap and/or dispensers, paper towels, etc.) into a sealed plastic bag.
- If clothing is contaminated, don't brush.
- Close doors and windows, stand outside the suspect area to assist first responders in assessing the incident. If possible, close down the building's heating-air conditioning-ventilation system.
- Make a list of all people who had actual contact with the powder and of those that were evacuated from the area for investigating authorities.
- **KEEP OTHERS FROM ENTERING THE ROOM.**
- Significant exposures will be handled as outlined in Agency [General Order on Infectious Disease Control 415](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Department Safety Manager	Order No: 707	
Rescinds: GO 707 Revised: 10/07/06	CFA 5th:	Revised: 10/22/15
Reference: GO 415, OM A415		

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707.1	<u>Responsibilities</u>

707 Policy

- A.** This policy will establish the duties of the Department Safety Manager. The Safety Manager is a component of the Support Services Division and the responsibilities will be assigned to the Support Services Division Commander.
- B.** The safety, health and welfare of all members, along with each member's risks to possible exposure to bio-hazards, require a single point of contact to provide guidance and assistance in such emergencies. This policy will help to ensure that everyone's safety, protection and welfare is addressed and handled in a timely manner.
- C.** Safety issues are usually directed to and handled by the Risk Management Office of the City Attorney's Office. The Safety Manager will primarily serve as a liaison between the affected member and the Risk Manager.
- D.** The Safety Manager is responsible for the administration and annual review of the Department's Infectious Disease Control plan [<GO415>](#) and Blood-borne Pathogen Exposure Control operating procedures [<OMA415>](#). The Safety Manager coordinates with the Training Section on all training needs related to the plan.

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Subject: Department Safety Manager	General Order: 707

707.1 Responsibilities

- A. Point of Contact** - The Safety Manager is not expected to have any medical expertise; however, he/she will be responsible to assist any member or supervisor needing assistance to make necessary and immediate referrals so the member receives immediate medical care and treatment.
1. The Safety Manager, upon being contacted, will immediately refer the member to the Risk Manager, or will contact the Risk Manager on behalf of the member.
 2. The Safety Manager also acts as a point of contact for members and supervisors regarding unsafe work environment issues, or improvement and change recommendations to make the work environment safer.
 3. The Safety Manager will investigate reports of unsafe work environment issues and take the appropriate action to immediately correct the problem.
 4. When necessary, the Safety Manager will submit recommendations to the Agency's Senior Staff and Chief of Police on new equipment, items, procedural changes and/or training that would improve safety and protect the health of members in the work environment.
- B. Review Plan** - The Safety Manager will review the Agency's Exposure Control Plan, as it relates to the health and safety in the work environment for Public Safety personnel, annually for any updates from OSHA and state agencies. The Safety Manager will recommend changes, if necessary, in the current directives and manuals.
- C. Training** - The Safety Manager will coordinate with the Training Section Lieutenant for training and dissemination of any updates, information or procedures, related to safety and health of personnel in the work environment, to Agency members.
- D. Medical Leave Tracking** - The Safety Manager is responsible to track and monitor those employees who are on medical leave, or away from work due to an off-duty, or on-duty injury. The tracking of each employee's current status and approximate time-frame to return to full duty will assist Agency staff in making decisions regarding personnel assignments and manning needs.
- E. Medical Information Confidentiality** - The Safety Manager will ensure no medical records or medical information is released regarding an employee's condition or medical treatment. Strict guidelines regarding the Health

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Insurance Portability and Accountability Act of 1996 (HIPAA) will be followed. The medical information, treatment, and diagnosis of a member are privileged information between the member and his/her medical provider. Any medical information must be kept confidential unless disclosed by the member.

1. No medical records will be permanently retained by the Agency. All medical records will be forwarded to Human Resources Department or Risk Manager after internal processing.
 2. No Injury Reports or Exposure Control reports, or copies thereof, will be maintained at the Police Department or sub divisions. A general information data base will be maintained on each member and will contain the following information:
 - a. Name of member.
 - b. Date of Incident/accident.
 - c. Status.
 - d. Next follow up scheduled.
 - e. Estimated return date.
 - f. Type of leave.
- F. Safety Committee** - The Safety Manager will also participate in the Risk Manager's Safety Committee meetings. This will help to ensure safety issues regarding the Police Department are considered by Risk Management.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Auxiliary/Part-Time Officer Program	Order No: 708	
Rescinds: GO 708 Revised: 08/31/16	CFA 5th: 2.08, 9.06, 10.14	Revised: 06/15/17
Reference: 943.10 (8) FSS, GO 404, GO405, GO 422		

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708 Policy

The Palm Bay Police Department authorizes auxiliary and part-time sworn police members to assist full time police officers and to be available for duty at City sponsored functions. Part-time Police Officers will be available at the discretion of the Chief of Police. All directives established by the Agency apply to officers addressed in this directive.

708.1 Definitions

- A. Auxiliary Officer** - Any sworn person employed or appointed, with or without compensation, who aids or assists a full-time or part-time law enforcement officer and who, while under the direct supervision of a full-time or part-time law enforcement officer, has the authority to arrest and perform law enforcement functions.

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B. Part-time Law Enforcement Officer - Any person employed or appointed by the Agency less than full time, with or without compensation, who is certified as a Law Enforcement Officer by the Criminal Justice Standards and Training Commission, and who is vested with the authority to bear arms and make arrests and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic or highway laws of the State pursuant to [943.10 FSS](#).

C. FTEP - Field Training and Evaluation Program

D. Returning Member - Any former sworn full-time member who seeks appointment as a part-time officer.

708.2 Responsibilities

A. The Support Services Division Commander is responsible for the overall administration of the Auxiliary/Part-time Officer Program. The SSD Commander will:

1. Designate a sworn supervisor to manage and supervise the program.
2. Ensure that a personnel file is maintained on each Auxiliary or Part-time Police Officer.
3. Ensure that auxiliary and part-time police officers attend in-service training.

B. The SSD Commander will submit an annual report to the Chief of Police detailing monthly service hours. A list of attended training for every auxiliary and part-time officer involved in the program will be included in the report.

708.3 Qualifications and Selection

A. Selection Process

1. Applicants will undergo the same selection/background criteria as full-time officers, as provided in [GO 404](#). Applicants must be certified as Florida Law Enforcement Officers at the time of application.
 - a. Applicants must submit a completed employment application to the Human Resources Department.

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- b. Applicants seeking appointment must submit a letter to the City indicating their interest in the program.
 - c. The Human Resources Department will maintain a separate listing of applicants who have requested appointment as either an auxiliary or a part-time officer.
 - d. Applicants must successfully complete the Agency's Field Training and Evaluation Program (FTEP) unless exempted by the Chief of Police or his designee. A memo to file must be submitted if the member is exempt.
- 2. Participants in this program are not considered employees of the City. They will not be entitled to any benefits afforded employees, with exceptions noted in 708.6. When on duty, he/she will be covered by the City's insurance, as specified by governing laws and ordinances.
- 3. Part-time applicants seeking full-time status will successfully complete FTEP within an 18 month period.
- 4. Once this condition is met, an applicant in good standing will gain immediate consideration for employment.
- 5. Certified police officers who separate from the Agency in good standing as full-time officers may, at the discretion of the Chief of Police, participate in the Auxiliary/Part-time Officer Program
- 6. Members who are retiring or leaving employment, yet want to immediately transfer to a part-time/Reserve must submit a memo to the Chief of Police via their chain of command. The Chief of Police, at his sole discretion, may decide to allow the member to transfer to reserve/part-time status without having to complete any further requirements set forth within this General Order. However, the Chief of Police may require the member undergo further screening. The Chief of Police may also deny the request without cause.
 - a. The officer, prior to separation, must submit all assigned equipment to the Materials Management Unit.
 - b. The officer will have up to 90 days to contact the Commander of the program to schedule participation in the program.

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- c. The Materials Management Unit shall maintain the officer's assigned equipment separately for re-issue to the officer if the officer becomes active in the program within the 90 days.
- d. The Training Section shall maintain the officer's certification as a reserve officer until such time as the officer becomes inactive in the program.
- e. Failure by the officer to contact the Commander within the 90 day period or failure to maintain the program requirements will render the officer's status as inactive and the officer will be separated from the program/Department.

B. Probationary Members Prohibited - Probationary members, full-time or part-time will not be granted immediate transfer to reserve/part-time status.

708.4 Training

- A. Auxiliary and part-time members are restricted in their ability to perform law enforcement duties to only those areas for which they have received training.
- B. Auxiliary and part-time members will adhere to the same training attendance requirements as full-time sworn members.
- C. Auxiliary and part-time members performing the same functions as full-time sworn members will receive equivalent in-service training, which includes:
 - 1. Mandatory training classes as required by the Criminal Justice Standards and Training Commission.
 - 2. Annual demonstration of proficiency with firearms authorized to carry.
 - 3. Annual use of force training.
 - 4. Biennial less-lethal weapon training.
 - 5. Legal updates.
 - 6. Annual dart-firing stun gun (Taser) training in accordance with Florida Statute.

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- D. FTEP** - All part-time and auxiliary officers will successfully complete the Field Training and Evaluation Program, prior to engaging in uniform patrol duties without the direct supervision of a Field Training Officer.
1. All Daily Observation Reports will evaluate shifts ranging from five to eight hours long.
 2. Scheduling will be arranged by the FTEP coordinator.
 3. If no Field Training Officer is available, a supervisor may approve the part-time/auxiliary officer to ride with a full-time sworn officer. A Daily Observation Report will not be completed.
 4. The FTEP will be successfully completed within 18 months. Requests for extensions may be requested in writing through the Reserve Coordinator, SSD Commander, and the Chief of Police.
- E. FTEP for Sworn Separated Members** - Sworn members returning to the agency as part-time officers will be required to successfully complete FTEP when any of the following apply:
1. The Chief of Police or designee deem necessary for any reason.
 2. The separation date from full-time status has exceeded one calendar year from date of appointment.
 3. Probationary status was not successfully completed while a full-time member, regardless of reason.
- F. Specialized Duty Assignments** - Auxiliary and part-time officers who are assigned duties outside regular uniform patrol functions will receive job related documented training prior to assuming specialized duties
- G.** Auxiliary and part-time officers will have access to Agency directives and legal updates. These members are responsible for keeping themselves current on changes in Agency directives and the law.
- H.** Once the auxiliary or part-time officer has successfully completed FTEP, and upon the approval of the FTEP supervisor, he/she will be cleared for duty.
- I.** Auxiliary and part-time officers will be on probationary status for a period of one year from completion of the FTEP.

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708.5 Service Requirements

- A.** The auxiliary and part-time members are subject to the same policies, rules and regulations, and procedures pertaining to full-time, sworn police personnel.
- B.** Part-time and auxiliary officers must provide at least ten hours of service each month. Attendance at monthly meetings and training sessions are considered as time served.
 - 1. Officers who cannot meet the service requirements must submit the reason in writing to the reserve coordinator before the end of the month.
 - 2. The Chief of Police or designee may grant exceptions to the service hours requirement. Exceptions will be documented in the auxiliary or part-time officer's training file.
 - 3. Officers who have not received a waiver and who fail to meet the service requirements for three months within a calendar year will be removed from the program.
- C.** Part-time and Auxiliary officers must provide assistance to 3 of the 4 main City of Palm Bay special events planned each year (dates subject to change) unless exempted by the Chief of Police or his designee. Duties served will be up to the event commander in charge of the event but can range from TCP to assisting in the command post.
 - 1. Food Truck War Event (Usually in May)
 - 2. 4th of July Event (July)
 - 3. Puerto Rican Day Parade (November)
 - 4. Holiday Parade (December)

708.6 Liability Protection - Auxiliary and part-time officers who act within the scope of their assigned duties and the provisions of this directive, are bonded and protected by City liability insurance equal to that of full time officers.

- A.** This coverage includes actions taken that involve special skills and functions for which the officer is trained, licensed, or certified.
- B.** This coverage is limited to those periods recognized as "duty hours" where the auxiliary or part-time officer is working solely and specifically for this Agency.

708.7 Uniforms and Equipment

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- A. Issued Same as Full-Time Officers** - Auxiliary and part-time officers will wear the same uniform as full-time officers.
 - 1. The Agency will provide auxiliary and part-time officers with the equipment necessary to perform the function to which they are assigned.
 - 2. The issued uniforms and equipment will be ready for inspection at any time.
 - 3. Part-time/Reserve officers will not be issued a vehicle or pac-set unless deemed necessary by the Chief of Police.
- B.** Auxiliary and part-time officers must qualify with approved firearms in accordance with department policy.
- C. Use of Department Vehicles** - Part-time members who have successfully completed FTEP may use pool cars for tours of duty with approval from the sworn supervisor. If no pool cars are available, the part-time member may ride along with a full-time member. Auxiliary members will ride with a full-time member or with a part-time member. Auxiliary members may operate department vehicles under the direct supervision of a full-time or part-time member. However, full time probationary members may not supervise a reserve/part-time member.
 - 1. Auxiliary and part-time officers operating department vehicles will inspect them at the start of and prior to the end of duty.
 - 2. Auxiliary and part-time officers operating department vehicles will keep them clean and in good working condition.

708.8 Status and Restrictions

- A.** Part-time officers are authorized to function as regular police officers during specific tours of duty. Auxiliary officers have arrest and law enforcement power only under the direct supervision of a full-time or part-time officer.
- B.** When performing assigned uniform patrol duties or specialized duties, the part-time officer is under the supervision of the respective squad or unit supervisor. Under the same circumstances, the auxiliary officer is under the direct supervision of a full-time or part-time officer.
- C.** Auxiliary and part-time officers may carry Agency identification and authorized firearms and weapons only with the written authorization of the Chief of Police.

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- D. When off duty, outside the City of Palm Bay, auxiliary and part-time officers act only in the capacity of private citizens and do not revert to an on-duty status if involved in any activity which might be police related.
- E. Auxiliary and part-time officers are not entitled to Worker's Compensation or any other City or Departmental benefits when involved in off-duty activity.
 - 1. Off-duty police action may only take place by a part-time officer within the city limits of Palm Bay **to preserve life in an extreme emergency**. Auxiliary officers have no law enforcement authority without the direct supervision of a part-time or full-time officer. Therefore, auxiliary officers will take no police action off-duty.
 - 2. The part-time officer will immediately notify the appropriate on duty supervisor when any action is taken.
- F. It is the auxiliary/part-time officer's responsibility to ensure he/she receives and responds to subpoenas.

708.9 Performance Evaluations

- A. Auxiliary and part-time members will be evaluated in the same manner and will receive the same type of evaluation as a full-time police officer. This includes monthly probationary evaluations.
- B. The Auxiliary/Part-Time Officer Program supervisor is responsible for completing these performance evaluations.
- C. The Auxiliary/Part-time Program supervisor may limit any tours of duty to any auxiliary or part-time member:
 - 1. Based on performance evaluations
 - 2. For failing to complete minimum requirements listed in this directive

708.10 Rank Structure

- A. The Auxiliary/Part-Time Officer Program may have its own rank structure to promote a clear chain of command.
 - 1. The rank structure will be determined by the Chief of Police or designee.

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2. The rank structure of the Auxiliary/Part-Time Officer Program applies only within that entity.
 - a. Members of the Auxiliary/Part-time Officer Program, regardless of their rank, have no authority over any full-time officer.
 - b. Members of the Auxiliary/part-time Officer Program will acknowledge the rank held by full-time sworn officers.
- B. The Support Services Division Commander and the sworn officer in charge of the Auxiliary/part-time Officer Program will appoint rank within that entity.
- C. Appointed auxiliary/part-time officer supervisors may display their rank at the discretion of the Chief of Police or designee.

708.11 Separations

- A. Upon termination or resignation, the auxiliary/part-time officer will return city-issued equipment, uniforms, badges, and identification to the program supervisor.
- B. All auxiliary/part-time members separating from the city will adhere to all applicable provisions listed in GO 422.
- C. Part-time and auxiliary members serve at the will of the Chief of Police.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Critical Incident Stress Management	Order No: 709	
Rescinds: GO 709 Revised: 01/18/18	CFA 5th: 10.16M	Revised: 12/18/18
Reference: Employee Death and Injury General Order 416		

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709 Policy

- A.** It is Agency policy to assist members who experience very traumatic events through the Critical Incident Stress Management (CISM) Team. The CISM Team will consist of members trained in stress-related intervention, and mental health professionals oriented to the workings of the law enforcement agency.
- B.** The sole purpose of the CISM Team, and the primary concern of the Agency, is to provide the services of a CISM Team in order to help members cope with what they experience at highly traumatic events and to support and educate members and their families about critical incident stress.
- C.** CISM counselors are not utilized for non-department members, or civilian debriefings or counseling because they are not licensed or trained to perform this function.

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Subject: Critical Incident Stress Management	General Order: 709

709.1 Definitions

- A. Critical Incident** - Any incident that causes strong emotional reactions and has the potential to interfere with job performance on the scene or at a later time.
- B. Critical Incident Stress Debriefing** - A group meeting or discussion run by a specially trained team of personnel to mitigate the impact of a critical incident and to assist members involved in recovering as quickly as possible from the stress associated with the event.
- C. “Formal” Critical Incident Stress Debriefing** - A structured group process utilizing intervention strategies along with educational techniques. This program is a peer-driven, clinician-guided discussion of a traumatic event with the goal of mitigating the psychological trauma and accelerating recovery from the significant stress.
- D. Critical Incident Stress Team** - A team of mental health professionals, clergy and peer support personnel who have received special training to intervene in stress reactions.
- E. Mental Health Professional** - A member of the mental health profession assigned to the CISM Team.
- F. Peer Support Personnel** - Provides support for persons exposed to a critical incident and responsible for after-care support relative to stress management.
- G. Clergy** - Provides spiritual support when it is clear that the person affected is seeking such support.
- H. Team Coordinator** - Responsible for the day-to-day operations of the team. The Team coordinator position may be held by more than one person.
- I. Team Liaison** - Manages the team’s business, coordinating with the mental health professionals and the designated Team coordinators.
- J. Defusing** - A shortened version of the CISM debriefing which usually takes place immediately or soon after a critical incident and typically lasts less than one hour. The defusing is a short, introductory meeting that is, under ideal circumstances, followed up within a few days with a debriefing.
- K. Auxiliary Member** - A non-member who has fulfilled the criteria for peer support personnel.

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- L. One on one support** - A process in which team members assist personnel showing obvious signs of distress as a result of their participation in the critical incident. CISM team members should advise the Incident Commander, or designee, on specific issues related to the critical incident and topics of stress management. The CISM team leader may designate a team member for post-incident support to further assist the involved employee and their family members.

- M. Post-Traumatic Stress Disorder (PTSD)** – A mental health problem that some people develop after experiencing or witnessing a life-threatening or traumatic event, like combat, a natural disaster, a car accident, or sexual assault.

709.2 Confidentiality

- A. Debriefing Protocol** - It will be the duty of all CISM Team members, while acting in that capacity, to keep information communicated to them strictly confidential. Debriefings, defusings and one-on-one interventions, including topics discussed and personnel involved, will be maintained in the strictest of confidence.
 - 1. Critical Incident Debriefings are not a method of critiquing Agency operations of the incident. Performance issues, possible procedure violations or policy statements will not be discussed during the debriefing.
 - 2. The debriefing process provides a format in which personnel discuss their feelings and reactions, thus reducing the stress that results from exposure to critical incidents.

- B. CISM Member Role** - The CISM Team provides emotional support for any employee who is involved in a critical incident. The CISM Team member is not an investigator involved in the administrative and/or criminal investigation of the critical incident.

- C. Avoid Blame Issue** - The purpose of the CISM Team involvement at or in any incident will have nothing to do with fixing responsibility or blame upon any employee, and the Team members will refrain from any discussion involving responsibility or blame.

- D. No Records** - No notes or other records will be made of any CISM discussions, and no communications will be written. Laptop computers and cell phones will not be allowed. Police radios will be turned off to prevent interruptions and ensure a confidential environment for all participants.

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E. IA Removed - Ordinarily, defusing and debriefings will not be the subject or focus of internal investigations, and CISM members will not be questioned concerning involvement or knowledge of such sessions.

F. Report Violations of Law - CISM Team members are required by departmental policy to disclose all violations of law or department policy and to notify the appropriate commander of any employee the CISM Team member believes is not fit for duty.

G. Privileged Communications - All one-on-one sessions conducted by licensed mental health professionals are confidential and under Florida State Statute 491.0147 considered privileged communications, therefore not subject to subpoena [<491.0147 FSS>](#).

1. Other privileged communications are between:

- a. Lawyer - Client
- b. Psychotherapist - Patient
- c. Sexual Assault Counselor - Victim
- d. Domestic Violence Advocate - Victim
- e. Husband - Wife
- f. Clergy (for purpose of seeking spiritual counsel and advice from member of clergy in the usual course of his/her practice)

H. Confidentiality Compliance - CISM Team members are expected to abide by the spirit of this confidentiality statement. Exceptions to compliance will be mandated by law or legal process. Failure to do so will result in immediate removal from the Team and subject to disciplinary action.

709.3 Selection and Training of CISM Members

A. Selection - Members are selected based on criteria established by the CISM Team Commander and utilization of the Intra-Agency Lateral Assignments process as provided in [<GO 410>](#).

B. Training of CISM Members - Members will be trained to recognize certain signs and symptoms associated with stress and where to refer personnel for the appropriate assistance when required. Education and activities will

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emphasize counseling as an appropriate choice of action for those experiencing distress.

709.4 Procedures

A. Notification/Activation of CISM Team by Commander

1. The CISM Team may be activated by any commander or acting commander. This may be accomplished by instructing the Communications Center Supervisor to contact the CISM Team Coordinator, or their on-call designee, and request them to respond a CISM Team. The Communications Section will be provided with a list of Team members and their necessary contact numbers.

2. Mandatory Notification

- a. The CISM Team coordinator will be notified when any of the following occur:
 - Death or serious injury to any Palm Bay Police Department employee occurring on or off duty. Employee Death and Injury General Order [GO 416](#).
 - Death or serious injury to another as a result of actions by any Agency employee occurring on or off duty.
 - Officers involved in shootings occurring on or off duty.
 - Mass causality cases.
 - Other law enforcement agencies requesting CISM Team assistance.
 - Any event which may cause strong emotional reactions and/or has the potential to interfere with job performance at a later time.

3. Discretionary Response

- a. The on-duty Commander or acting Commander will notify the CISM Team Coordinator or designee to discuss the incident. The CISM Team Coordinator or designee will evaluate the need for a CISM Team response for the following reasons:

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- Cases involving the death or serious injury of children in which officers are directly involved.
- SWAT and/or Crisis Negotiations Team operations lasting more than six hours.
- Other law enforcement agencies requesting CISM Team assistance.

b. The CISM Team coordinator will make a determination as to the appropriate response of CISM Team members.

709.5 Role of CISM in an event involving the death or serious injury of a citizen resulting from police action

A. Philosophy

1. The CISM Team recognizes the need to maintain the integrity of an Internal Investigation and/or criminal investigation of the facts surrounding the serious injury or death of a citizen due to factors involving the Police Department.
2. Further, members or employees directly involved in such an incident may be relieved from active duty at the discretion of the Chief of Police.

B. Supervisory Responsibilities

1. At the Scene or off-scene

- a. The involved employee's immediate supervisor and a CISM Team Coordinator will respond immediately to the scene.
- b. The Field Supervisor will make the necessary departmental notifications.
- c. The CISM Team Coordinator will make personal contact with the involved officer or employee and separate them from the scene as soon as practicable.
- d. The Field Supervisor will retain authority over the scene unless relieved.
- e. The CISM Team Coordinator will assume responsibility for assuring the remaining sections of this procedure are implemented.

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2. At Police Headquarters

- a. Debriefings will be limited to the assigned CISM Team member(s).
- b. The CISM Team Coordinator (or his designee) will assure that the following actions are taken if necessary:
 - **EAP** - The Officer's Division Commander will coordinate the scheduling of the psychological appointment with the Employee Assistance Program Counselor (preferably one trained in CISM) and request that the counselor respond and contact the involved employee(s). This effort is usually coordinated with the involved officer(s) union representative.
 - The involved employee is allowed to contact a spouse or family member, if desired. If that person is to join the involved employee, the requesting Commander may dispatch a sworn officer to accompany or transport the person, if desired by the requested person.
 - Upon arrival of the EAP counselor, he/she will be briefed by the CISM Team Coordinator (or designee) on the circumstances of the incident and he will be provided with all reasonable assistance.

C. CISM as a Peer Support Network

1. Research on law enforcement officers at local, state, and federal levels indicate that peer support (both proximate and long-term) is one of, if not the most, beneficial types of help traumatized people can receive.
2. A CISM Team member will be assigned to each involved officer to provide support and assistance until such time as the involved employee is stabilized at home. The involved officer may elect to contact a peer support person of his choosing in lieu of the CISM Team member.
3. If the peer support person is an on-duty employee, that employee will be excused from other duties. If the peer support person is an off-duty employee, overtime will be authorized by the requesting Commander. The CISM Team Coordinator or the involved employee's supervisor will make the necessary contact with the peer support person.

D. Immediate Post-Incident Considerations

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1. The involved employee will be afforded the following considerations:
 - a. Proper medical attention will be immediately provided to officers exposed to blood borne pathogens.
 - b. With prior approval of the Criminal Investigations Investigator and the Internal Affairs Investigator, the employee will be permitted to clean up, shower and/or change clothing.
 - c. He/she will be allowed to relax in a stable, private location.
 - d. Replacement clothing/equipment will be made available by the Materials Management Unit when necessary.
 - e. The employee will be permitted to obtain some fluids and/or food if desired.
 - f. When the involved employee's peer support person arrives:
 - If the peer support person is a Palm Bay Police Department employee, the temporarily assigned CISM Team Coordinator or member may leave; if the peer support person is a non-employee, the temporarily assigned CISM Team Coordinator or member would remain available until relieved by proper authority.
 - g. When the counselor arrives:
 - The CISM Team counselor will introduce himself to the involved employee, and the spouse or family members, and offer his services, if desired, at that time. The counselor will provide the employee, the spouse, and family members with a way to contact him/her at any time, should the need arise.

E. Counseling

1. The involved employee's Division Commander will make a supervisory referral to the Employee Assistance Program (EAP) within 24-hours of the incident and notify the employee of the date and time of the appointment.
2. EAP counseling will be confidential and will not be conducted at an Agency facility.
3. EAP counseling will be at no cost to the employee.

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4. EAP counseling may continue after the first session if requested by the involved employee and the EAP counselor.
 5. The Agency may mandate additional non-EAP counseling at no cost to the employee.
- F. Employee Injured** - In the event the involved employee is injured and/or hospitalized, the Field Supervisor and CISM Team Coordinator will make every effort to follow this procedure within the constraints of emergency medical priorities.

709.6 Role of the Police Chaplain/Mental Health Professional

- A. Department Familiarization** - Mental Health professionals and the Police Chaplain will familiarize themselves with the workings of the Palm Bay Police Department.
- B. Debriefing Participation** - Mental health professionals will be authorized to participate on the CISM Team by conducting debriefings/defusings, assist in training make recommendations for improving the CISM program, and being available to assist CISM Team's needs.
- C. Follow Procedures** - The Police Chaplain Unit will perform under the guidelines of current General Orders and assist the CISM Team as needed.

709.7 Functions of the CISM Team

A. On-scene Support

1. CISM Team members summoned to major scenes will wear identification tags, identifying them as CISM Team members. They will maintain a low profile, acting as observers, and will be restricted to the outer perimeter unless otherwise directed by a CISM Team leader. CISM Team members are to act as observers and respect the privacy of others. Any adverse stress reactions observed by CISM Team members will be reported to a CISM Team leader. If, in the opinion of the Team leader, the affected person is incapable of performing assigned duties, the incident commander will be notified with recommendations.
2. During incidents in which the CISM Team is activated, the CISM Team Coordinator will be allowed in or near the command post to act as an observer and act as a liaison to the incident commander. The CISM Team

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Coordinator will not become involved in the operations of the incident nor will he have command authority.

3. Under some circumstances it may be necessary for CISM Team member to conduct one-on-one interventions at the scene. These interventions will be brief and supportive in nature.
4. Under no circumstances will group interventions be done on the scene.

B. Off-Scene Defusing

1. Off-scene defusing can be an individual or group process. These defusings will be conducted one to three hours after the incident, if possible, and in a comfortable, quiet location away from the scene at a neutral site (preferably not at the police station).
2. The primary purpose for the off-scene defusing is to educate personnel of possible stress reactions and to educate personnel of proper care for themselves (i.e., food, rest, things to avoid, etc.).
3. Personnel are encouraged to unwind during this session and to vent feelings and emotions if they are comfortable in doing so. CISM Team members will make themselves available for individuals who would like to talk one-on-one after the defusing.
4. CISM Team members will ensure that this session does not turn into a critique of the incident.
5. Family members of involved employees may be invited to attend if deemed appropriate by the CISM Team Commander and is acceptable to other peers involved in the debriefing or defusing session.

C. Formal Debriefing

1. The formal debriefing process serves to mitigate the stress impact resulting from exposure to a critical incident through ventilation of feelings and emotions along with informational and educational components with the use of cross-trained Mental Health Professionals and Peer Support.
2. On-staff personnel have proved to be the most beneficial and accepted method of intervention. They produce a therapeutic effect and hasten the recovery process by allowing participants to understand their own stress responses and see that others have similar responses.

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3. A formal debriefing shall be made available for those members or employees involved in the duty-related death or serious injury of a co-worker, mass casualty cases, and any other incident the Lead Mental Health Professional, the CISM Team Coordinator, or Incident Commander deem appropriate. While attendance is not mandatory, it has been shown that attending a debriefing will assist the member to cope with the events that transpired.
4. The formal debriefing will generally be held between 48 and 72 hours after the incident. The formal debriefing will be conducted by the Lead Mental Health Professional with the assistance of peer support personnel selected by the CISM Team Coordinator.
5. There will be no media or uninvolved observers allowed in the debriefing. Note taking, recorders, cell phones, laptop computers or video equipment will not be allowed.
6. All personnel involved in the formal debriefing will give their full attention to the debriefing session; therefore, police radios, telephone calls, and other interruptions will not be allowed.
7. Personnel are reminded that the formal debriefing session is not a critique. Judgment calls or use of rank authority are not appropriate for a setting of this nature.

709.8 Training

All sworn members and others identified by the Palm Bay Police Department will receive educational training, as defined by the Palm Bay Police Department, related to mental health awareness, prevention, mitigation, and treatment to include Post-Traumatic Stress Disorder.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Chaplain Program	Order No: 710	
Rescinds: GO 710 Revised: 04/22/15	CFA 5th:	Revised: 05/20/16
Reference:		

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710 Policy

It is the policy of the Palm Bay Police Department to provide personal, emotional, and non-denominational spiritual support to all members and citizens. The Chaplain Program seeks to ensure that confidential counseling and encouragement be provided, pro-actively and in times of crisis response, to continually improve work environments and morale.

710.1 Definitions

- A. Chaplain** - A clergyman who has been commissioned by a faith group or an organization to provide pastoral services in an institution, organization, or governmental entity.
- B. Non-Denominational** - Not restricted to or associated with a religious denomination.

710.2 Administration

- A.** The Chaplain Coordinator will manage the program and report directly to the Chief of Police or designee. This role is appointed by the Chief of Police.

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1. The Chaplain Coordinator may be sworn or civilian at the discretion of the Chief of Police.
2. The Chaplain Coordinator's function is to ensure that any Chaplain, sworn or civilian has the adequate training requirements prior to any deployment.
3. The Chaplain Coordinator will make recommendations to the Chief of Police for persons to hold the position of Chaplain.
4. Person(s) selected to hold the position of Chaplain will report directly to the Chaplain Coordinator or designee.

B. Scheduling

1. The Chaplain Coordinator will manage the schedules for all members of the program.

C. Selection

1. Members, sworn or civilian, interested in obtaining a position in the Chaplain program must have at minimum:
 - a. Two years of service with the City of Palm Bay, may be changed at the Police Chief's discretion.
 - b. Theological/Spiritual Background
 - c. Be flexible and willing to be on call
 - d. Complete chaplain training course(s) as soon as possible
 - e. Possess good communicative skills
 - f. Must be comfortable with public speaking
 - g. Be willing to attend advanced training courses as determined by the Chaplain Coordinator
 - h. Must submit a letter of intent with a resume to the Chaplain Coordinator when there are vacancies
 - i. Selection to this position will be made based upon existing General Order 410.

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2. Persons not employed with the Agency may apply for the position of Chaplain if they meet all of the following:
 - a. Must be ordained clergy and complete a preliminary application for the position of Chaplain volunteer
 - b. Successfully pass a background check to include criminal history and drivers license checks
 - c. Possess good communicative skills
 - d. Must be willing to be on call
 - e. Must be comfortable with public speaking
 - f. Willing to work closely with Victim Advocate Services
 - g. Willing to attend advanced training courses as determined by the Chaplain Coordinator
 - h. Must have an interest in law enforcement

710.3 Duties

- A. Chaplain Response** - Chaplains will respond to any request of a supervisor or to any of the locations of the following incidents when available:
 1. In the event of a member being seriously injured or killed, a Chaplain will respond to the location to offer assistance as needed.
 2. Serious injury or death notifications or the scene of any traffic fatality when the family members are on scene or to be notified immediately.
 3. Will be present at the funeral of any former or active law enforcement officer from the City of Palm Bay.
 4. Call on or visit any member while injured or seriously ill in the hospital or place of their choosing when requested by the member.
 5. Participate in any formal department ceremony and/or memorial service.
 6. When requested by the Agency to provide a liaison with any other religious leader in the community.

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B. Role of Chaplain

1. Chaplains will provide pastoral care/counseling for members who request any emotional and spiritual guidance.
 - a. A sworn chaplain is bound by all directives of the Palm Bay Police Department and has a duty to report pursuant to General Order 401.
 - b. Chaplains are not licensed mental health professionals.
2. Supervisors are encouraged to call out and/or offer the services provided by the Chaplains at critical incidents.
3. Chaplains will be given full access to the police department and its members as long their presence does not interfere with any active police investigation.
 - a. Access may be restricted to any department by a sworn supervisor without notice.
 - b. Access to any area may be revoked at any time by a sworn supervisor with cause (presence of CI's, sensitive law enforcement investigation, etc.).
4. **Confidentiality** - In accordance with FSS 90.505, Non-Sworn Chaplains will maintain the confidentiality of communications by persons requesting assistance. Exceptions may be made by written permission from the person requesting the assistance, or if there is a clear and immediate probability of physical harm to the person requesting the assistance or others. If there is any violation of confidentiality, the Chaplain will be removed from the program immediately.
 - a. **Employed Chaplains** - Although employed members still have a duty to report, they are bound to keep any communication between themselves and another member of the agency confidential in any matter which is not a violation of General Orders, Operating Manuals, or violation of any State Statute.
 - b. Employed members must not speak of or report any communication unless they have personal knowledge of the following:
 - Other members violating any State or Federal law
 - Ordinances

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- Department directives
 - Disobeying orders
 - c. Any violation will be reported to the Division Commander through the chain of command.
 - d. The Division Commander will immediately forward any such reports, which constitute a violation of law, or serious violations of Agency directives, to the Chief.
- C. Employed Chaplains** - Any member of the agency who has been selected as a chaplain will make themselves available to act in this role at least ten hours a month at the discretion of the Chaplain Coordinator. With the Chaplain Coordinator's authorization, the employed chaplains will not:
1. Be utilized in their normal job functions while acting as a Chaplain with the Chaplain Coordinator's authorization.
 2. Be utilized to cover any road assignments (for sworn Chaplains) while acting in the capacity of a Chaplain. This does not preclude the sworn member acting as a law enforcement officer if the situation warrants.
- D. Volunteer Chaplains** - Any person who has been selected as a Chaplain and who is not an employed Chaplain is considered to be a volunteer. A volunteer Chaplain contributes his/her own time to perform chaplaincy services for the agency and will not be compensated for such time.

710.4 Training

A. Training

1. Chaplains will complete an orientation class which will provide an overview of the Police Department for those who are not familiar.
2. The orientation will also provide the new chaplain with this General Order and all other directive that affect their position.
3. Chaplains will have to complete the following online training courses:
 - a. NIMS IS-100, IS-200, IS-700, IS 800
 - b. CISM

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- c. Any specialized police chaplain courses at the direction of the Chaplain Coordinator or the Chief of Police.

B. Specialized Training - Chaplains are encouraged to take the following courses to assist them in their duties with the agency:

1. CPR
2. Victim advocacy classes
3. Clergy privilege
4. Grief counseling

710.5 Uniforms

A. Sworn Members - Sworn Chaplains will wear their standard issued department uniform or tactical uniform in accordance with General Order 413. In addition to the normal uniform, sworn members will:

1. Wear Chaplain pins on their collar
2. Wear a Chaplain patch on a tactical uniform

B. Volunteers or Non-Sworn Members - Will wear casual professional business attire with a chaplain patch.

1. Non-sworn or volunteers must wear a police identification card at all times on their person.
2. Volunteers and non-sworn chaplains have no police authority; therefore they will not wear anything which would identify them as a police officer at any time.

C. Call Out Attire - The uniform or attire to be worn at a call out will be at the discretion of the Chaplain Coordinator. At no time will a chaplain, sworn or civilian, employed or volunteer, respond to any event in any attire which would bring discredit to the agency. Attire will be in accordance with General Order 412 and 413.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Honor Guard	Order No: 711	
Rescinds: GO 711 Revised: 3/21/06	CFA 5th:	Revised: 04/13/15
Reference: General Orders 412, 413		

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711 Policy

This policy provides members with guidance and uniformity on how to conduct Police related ceremonies. A formal method of training will be established to address the specific sequences of events during ceremonies. The Honor Guard will perform ceremonial duties as assigned by The Chief of Police or designee.

711.1 Staffing

A. Honor Guard Membership - The Honor Guard is comprised of sworn police officers who are selected on a volunteer basis. Membership in the Honor Guard does not constitute a full-time assignment or position.

B. Chain of Command:

1. The Honor Guard Commander is the assigned Commander or Lieutenant who may designate a unit Sergeant or officer to fulfill the role of Event Coordinator for sanctioned events and training.
2. The Event Coordinator will be responsible for coordinating, scheduling, training and other tasks as assigned by the Unit Commander.

C. Honor Guard Selection - The selection process is as follows:

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1. Notice will be posted announcing the vacancy. Sworn members will be instructed to submit a memorandum of interest.
2. The Unit Commander and Sergeant will review submissions.
3. Members must maintain an acceptable performance evaluation for a minimum of one year and must be able to maintain an acceptable performance evaluation while a member of the Honor Guard.
4. Members must not be on suspension, administrative, medical leave, light duty, or under any type of Agency disciplinary action.
5. Members must have the ability to perform disciplined and coordinated movements, actions and positions at an acceptable level of proficiency and will be tested periodically to ensure that level is maintained.
6. Members of other specialty units may participate on the Honor Guard. However, their appearance standard must equal that of other members. This includes hairstyle and length.

D. Event Assignment - Requests for the Honor Guard's participation in an event will be submitted on an [Honor Guard Event Request](#). Members will participate in activities and assignments only after receiving approval from the Unit Commander or Event Coordinator.

1. Assignments will be made based upon the number of personnel needed and the availability of personnel.
2. Assignments are made at the discretion of the Unit Commander or Event Coordinator.
3. The Event Coordinator will be designated for each event, function, ceremony or funeral. The Event Coordinator will be responsible for completing the [Honor Guard Tracking Form](#).

711.2 Personal Appearances

A. Appearance

1. Honor Guard Members are expected to represent the Agency as an example of Law Enforcement pride and professionalism.

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2. Members are expected to maintain a high level of personal hygiene and appearance.

B. Jewelry - The only jewelry permitted while in the Honor Guard Uniform is a wristwatch, and one ring per hand. Bracelets, earrings, and visible necklaces are not permitted.

711.3 Honor Guard Uniforms - The Honor Guard uniform and accessories are issued items by the Agency. Members in Honor Guard uniform will be dressed alike and present a uniform group presence.

711.4 Honor Guard Events

A. Awards and Promotional Ceremonies - Honor Guard duties will include posting of the National, State and City colors.

B. Funerals - The Honor Guard will provide personnel for funeral services of the following:

1. Palm Bay Police Officers who have been killed in the line of duty.
2. Portions of funeral services for personnel who have died of natural causes while on or off duty.
3. Portions of funeral services for officers who have retired from the Palm Bay Police Department if requested by the officer's family.
4. Funerals of Police Officers from other Law Enforcement Agencies (notifications via NCIC/FCIC of a LEO funeral will require approval of the Chief of Police.
5. Any funeral at the direction of the Chief of Police.

C. Parades and Other Special Events - These requests will be reviewed and approved by the Unit Commander.

711.5 Event Participation Approval Process

A. In Brevard County - Unit Commander or designee.

B. Surrounding Counties (Volusia, Orange, Osceola, and Indian River) - Chief of Police or designee.

C. Out of Surrounding Counties/Out of State - Chief of Police or designee.

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711.6 Level of Participation - This will be determined by the Unit Commander after consulting with the Chief of Police.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Wrecker Service	Order No: GO 712	
Rescinds: General Order 705 – Wrecker Ordinance (last revised 07/21/14)	CFA 5th:	Revised: 07/29/15
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712 Policy

It is the policy of the Palm Bay Police Department that procedures and rules shall be established to regulate the activities of those tow services that participate on the Wrecker Rotation List.

712.1 Purpose - The purpose of this General Order is to establish Policy, Procedure and Rules that shall:

- A.** Regulate the use of the Palm Bay Police Department Rotation List.
- B.** Define the requirements for participation on the Wrecker Rotation List.
- C.** Identify the wrecker classifications and the related equipment required with each classification.
- D.** Regulate the activities of those tow services that participate on the Wrecker Rotation List.

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E. The Palm Bay rotation list will consist of no more than 10 companies.

712.2 Procedure - Wrecker Operator Requirements

- A. Each wrecker company shall maintain a current Palm Bay business tax receipt.
- B. Wrecker operators are required to comply with the Florida Uniform Traffic Control Law, Chapter 316 Florida State Statutes.
- C. The on-duty wrecker operator must have ready access to the wrecker and be available 24 hours a day.
- D. The wrecker operator must have and maintain a valid State of Florida driver's license.

712.3 Equipment Requirements - The Chief of Police or designee shall inspect wreckers before being placed on the rotation list for required equipment.

- A. Sirens on wreckers are prohibited.
- B. Wreckers shall be maintained in reasonable states of appearance and repair, with equipment properly painted.
- C. The Name of the establishment must be lettered in a professional manner on both sides of the wrecker.
 - 1. The lettering should be no smaller than five (5) inches in height.
 - 2. Said lettering shall be permanently affixed to the wrecker. An example of such is self-adhesive vinyl or painted lettering.
- D. Wreckers shall be commercially manufactured and equipped with fenders, engine hood, doors and bumpers congruous to its manufacture.
- E. There shall be a minimum of one amber rotor light beacon or "strobe" type light mounted on top of the wrecker in such a manner that it can be seen from the front, rear and both sides.
- F. Unless authorized by the Palm Bay Police Department, this light(s) shall not be used while en route to a call.
- G. This light(s) will be used at the scene and when towing from the scene.
- H. Clearance and marker lights and all other equipment as required by Florida Statue, Chapter 316.
- I. Each tow truck must be equipped with the following;
 - 1. At least one pair of Dollies, Class A wreckers only
 - 2. At least one heavy-duty push broom
 - 3. Flood lights on hoist

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4. One square blade shovel
5. One axe
6. One crowbar or pry bar, 30-inch Minimum of one
7. 5 lb. CO-2 fire extinguisher or equivalent dot approved
8. One pair of bolt cutters, ½ inch opening
9. One set of jumper cables or jump box
10. One four-way lug wrench
11. One flashlight
12. Five 30-minute flares
13. Three traffic cones or triangles
14. At least one bag of oil dry
15. One Snatch block per cable rated per winch capacity.

712.4 Required Storage Facilities

- A.** Outside storage facilities must be fenced or guarded and locked for protection of vehicles and property.
 1. Storage facilities may be located off the operator's premises
 2. The facility must be professional in appearance and be staffed from 8:00am to 5:00pm, Monday through Friday.
 3. All storage facilities shall be within five (5) miles of the city limits.
- B** The fence must be of adequate size, at least six (6) feet high, to discourage theft of any vehicle or any property being stored inside.
- C.** Inside storage must be available when weather or other conditions require inside storage for protection of vehicles or personal property.
 1. If the inside storage is not on the wrecker establishment premises, the establishment must provide an address to the Palm Bay Police Department of the inside storage facility.
 2. The establishment must be staffed from 8:00am to 5:00pm, Monday through Friday.
- D.** Wrecker establishments towing for the Palm Bay Police Department Rotation List shall honor all hold orders issued by officers on towed vehicles.
 1. Vehicles involved in a fatality and sealed by the Homicide Investigator will remain intact until released by said investigator.
 2. No property of any kind shall be released to anyone without authority of the Homicide Investigator.
 3. Any wrecker establishment that violates any instruction from the Homicide Investigator or this section will be suspended from the rotation list pending an investigation to determine suitability to remain on the rotation list.

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- E. Wrecker establishments will be held responsible for parts and contents taken from vehicles while under their protection.
- F. The Chief of Police of the Palm Bay Police Department must approve any deviation from these rules.

712.5 Rate Requirements

- A. The establishment of fees to be charged by any Towing Service operating within the city will follow Brevard County Code of Ordinances (Section 106-5). The schedule of fees established will be uniform within the entire area of Brevard County.
- B. If a wrecker company responds to a revenue tow and does not have to tow the vehicle away from the scene, the wrecker company can charge a service call rate, which will follow Brevard County Code of Ordinances, (Section 106-5). An example would be if a vehicle was pulled out of a ditch, and did not need to be towed from the scene, the wrecker company would remain on the top of the rotation list.

712.6 General Requirements

- A. Wrecker towing rates shall be posted in each wrecker establishment.
- B. To qualify for the Palm Bay Police Department rotation list:
 - 1. All wrecker establishments must have at least one (1) Class A wrecker or rollback.
 - 2. If the Palm Bay Police Department specifies a certain class wrecker, the establishment must respond to the scene with specified class wrecker or larger.
 - 3. Palm Bay Police may maintain a separate rotation list for those Wrecker Companies that have specialized heavy duty wreckers and equipment.
- C. The Tow Service will be held responsible for any items listed on the Vehicle Impound Report or Vehicle Inventory Form as being with the vehicle when it was placed in the care and custody of the wrecker driver.
- D. The Tow Service will be held responsible for any damages to the vehicle, which is not listed on the Vehicle Impound Report or Vehicle Inventory Form at the time it was placed in the care and custody of the wrecker driver.
- E. All towed vehicles shall be made available during business hours at no additional charge to the owner of the vehicle or his representative, any insurance agent, insurance adjuster or any body shop dealer for the purpose of estimating or appraising damages, except vehicles with a police "hold".

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712.7 Revenue and Non-Revenue Tows

- A. Non-Revenue Tows** - involving seized vehicles, vehicles impounded as evidence, or abandoned vehicles or vehicles which have been posted by the Palm Bay Police Department with either a twenty-four (24) hour of notice of removal or a five (5) day notice of removal.
- B.** When vehicles are seized for forfeiture purposes and are settled back to the registered owner, the Police Department will make a reasonable attempt to get the original wrecker company paid for the Non-Revenue tow by the registered owner. The wrecker company shall notify the forfeiture manager when they tow a seized vehicle, so the information can be logged by the forfeiture manager.
- C. Revenue Tows** - Tows other than those identified as a non-revenue tow.
- D.** All authorized wrecker services must agree to participate in both the revenue and non-revenue lists.

712.8 Release of Impound Vehicles

- A.** No vehicle that has been impounded by the Palm Bay Police Department will be released until the wrecker company receives permission from the Palm Bay Police Department.
- B.** Violations of these regulations will be cause for suspension from the rotation list pending an investigation to determine suitability to remain on the rotation list.

712.9 Service Requirements

- A** Wrecker must be available for immediate response 24 hours a day.
- B.** Any wrecker establishment that tows a damaged or wrecked vehicle without the incident having been investigated or reported to a proper police agency will be suspended from the rotation list pending an investigation to determine suitability to remain on the rotation list. The owner, operator or representative of any wrecker establishment is prohibited from soliciting at the scene.
- C.** Wrecker operators shall sweep glass from the roadway and remove all debris from the scene. Any wrecker establishment that leaves the scene and does not remove all debris may be suspended from the rotation list pending an investigation to determine suitability to remain on the rotation list. The wrecker company will return to the scene upon officer's request for further debris removal that was inadvertently missed.
- D.** A wrecker company must respond with the wrecker that is registered to their company and appropriately lettered with the company name. If that company

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is unable to respond for any reason the Police Dispatcher will contact the next available wrecker from the rotation list.

- E.** Wrecker establishments must submit proof of liability insurance when inspected, showing current liability insurance.
 - 1.** This proof of liability form must show name of establishment, amount of insurance and the effective and expiration date.
 - 2.** It shall be the responsibility of the wrecker establishment to furnish the Palm Bay Police Department a copy of the liability form and/or a renewal proof of liability form each time the company changes policy or the present policy expires.
 - 3.** Any wrecker establishment that does not comply with this procedure will be suspended from the Palm Bay Police Department rotation list until the owner shows proof of liability insurance.
- F.** Wrecker operators, who arrive to service a call, and are identified by a Police Officer as having the odor of alcohol on or about their person, will be prohibited from completing the service and subject to arrest. The next wrecker will be called from the rotation list.
- G.** If a wrecker operator (establishment) desires to be off-duty, they must advise the Palm Bay Police Department by calling Dispatch and noting off duty status in the wrecker log. When they return they should advise the Palm Bay Police Department that they are in service by calling Dispatch and noting it in the wrecker log.
- H.** A wrecker operator (establishment) who fails to answer a call will lose the call and will be rotated to the bottom of the rotation list.

712.10 Prompt Response

- A.** A wrecker operator must respond to the scene in a prompt manner without significant delay. If the response delay is considered excessive, or a specific situation requires such, the on duty supervisor may request another wrecker to respond to the scene for the call for service, (generally within 30 minutes).
- B.** If the wrecker establishment does not respond promptly, on a continual basis, the establishment will be subject to removal from the rotation list.
- C.** The Police Department will call the wrecker company. They will advise how many vehicles need to be removed and towed. The wrecker company will advise how many of the vehicles they can immediately handle and respond the proper amount of wreckers and equipment. If the wrecker company can't handle all the vehicles, the next company on the list will be notified to pick-up the remaining vehicles.

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- D. When the wrecker company is contacted by the Palm Bay Police Department, they will have ten minutes to respond, or the next wrecker company on the list will be contacted.

712.11 Wrecker Classification - The classification of each wrecker is governed by manufacture's rated capacities of the tow truck and the weight of the vehicle to be towed. The following specifications and requirements shall apply:

- A. **Class A Wrecker** - (To be used for the removal of cars, light trucks or vehicles weighing 10,000 pounds gross vehicle weight GVW or less.) It shall consist of a truck chassis with a manufacturer's rating of at least 4+-ton capacity mounted on the chassis. In addition, operators who wish to remove cars and light trucks may use Rollback or Slide-Back carriers.
- B. **Class B Wrecker** - (To be used for the removal of medium duty trucks or vehicles weighing 20,000 pounds GVW or less.) It shall consist of a truck chassis with a manufacturer's rated capacity of at least 20,000 GVW with a boom and twin winches having a rating of at least 10+-ton capacity mounted on the chassis.
- C. **Class C Wrecker** - (To be used for the removal of heavy trucks, house trailers, buses or vehicles weighing over 20,000 pounds GVW.) It shall consist of a truck chassis with a manufacturer's rated capacity of at least 30,000 pounds GVW and 50,000 pounds GVW for tandem axle trucks with a boom and twin winches having a manufacturer's rating of a least 25+ ton capacity mounted on the chassis.
- D. **Rollback Carrier** - (To be used for the removal of cars, light trucks or vehicles weighing 10,000 pounds GVW or less.) It shall consist of a truck chassis with a manufacturer's rated capacity of at least 10,000 pounds BVW, with a minimum of a sixteen-foot bed, dual rear wheels and a winch with at least 8,000-pound capacity. This is not a separate class of wrecker.

712.12 Grounds for Suspension or Removal from Rotation List

- A. If the wrecker company's performance fails to meet the requirements specified within this policy, the Palm Bay Police Department may, without cause and without prejudice to any other right or remedy, remove the wrecker company from the rotation list whenever the Palm Bay Police Department determines that such termination is in the best interest of the City of Palm Bay.
- B. Violation of any of the wrecker rotation rules by a wrecker company may result in suspension from the wrecker rotation list. Repeated violations may result in removal from the wrecker rotation list.
- C. Upon receipt of a complaint regarding any wrecker company owner and/or operator or upon a complaint initiated by the Chief or designee, the Chief or designee may conduct an investigation regarding any violation of this policy.

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Subject: Wrecker Service (NEW)	General Order: 712

- D. A wrecker company that is removed from the rotation list will be notified in writing.
- E. Appeals - If the wrecker company can show extenuating circumstances beyond their control, the wrecker company may appeal a suspension or removal from the rotation list.
 - 1. The wrecker company shall notify the office of the Chief of Police in writing within five (5) days of a suspension or removal from the rotation list and clearly detail the extenuating circumstances.
 - 2. The Chief of Police or his designee shall consider all appeals and notify the wrecker company or revocation. The decision of the Chief or designee shall be final.

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Subject: Property and Evidence Procedures		OM: A701	
Rescinds: OM A701 Revised: 04/23/18		CFA 5th: 27.01, 27.07, 27.13, 27.15, 28.01, 28.02, 28.03	Revised: 05/29/18
Reference: GO 701 Property and Evidence, Exposure Control OM A415, FDLE Manual			

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701 Purpose - It is the purpose of this Operating Manual to provide guidelines to the Materials Management Unit to properly handle, store and dispose of all property submitted as impounded, found, recorded or collected whether evidentiary or not.

701.1 Property and Evidence Definitions

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- A. **MMU** - Materials Management Unit
- B. **RBIE** - Received back into Evidence
- C. **RIE** - Received into Evidence
- D. **SAO** - State Attorney's Office

701.2 Responsibilities

- A. **Materials Management Specialist** - It is the responsibility of the Materials Management Specialist to maintain and safeguard the chain of custody, integrity, accountability and disposal of all property and evidence under the control of the Materials Management Unit.
- B. **Unit Supervisor** - The Materials Management Supervisor will exercise staff supervision responsibility over the Materials Management Unit and assigned personnel.
- C. **Section Manager** - The Logistics Section Manager will be responsible for the overall staff command of the Materials Management Unit, its personnel and resources.

701.3 Intake Procedures

- A. **Reception** - Property and evidence is received by either of two methods: direct receipt from the officer, or retrieval from the temporary evidence storage lockers located on the wall to the right side of the evidence office at the South District or the lockers at the North District. Subsequently, the following steps are to be followed by the Materials Management Specialist with regard to the handling and processing of said property or evidence:
 1. For items retrieved from the North District temporary storage lockers, the following will take place:
 - a. Crime scene personnel will act as couriers and be responsible for the collection of property and evidence from the security lockers located at the North District once per day during normal business hours. Weekends and holidays are excluded.
 - b. The Crime Scene Tech responsible for the transport of the property/evidence will sign a locker key out from the Materials Management Unit (MMU) which will be used to retrieve the items from the security lockers.

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- c. The Crime Scene Tech will stamp a S14EC CFS at the beginning of their run, advise their beginning mileage, then ensure it is closed upon their return to the South District and advise their ending mileage.
 - d. When at the North District to pick up evidence, the courier will park on the South side of the building inside the gated parking lot and ensure the gate is closed behind them. The courier will call in on arrival and request an officer or Supervisor to stand by when the evidence is being transferred from the lockers to the courier's vehicle.
 - e. All property/evidence turned in at the North District will have a printed property page from the In-Field Report system accompanying the evidence which will be used as a checklist upon collection. The items will be checked on the list and the evidence bags/tags signed in the chain of custody area noting the time and date of retrieval by the CSI. If any item(s) are found to be missing or unaccounted for from the checklist, the Watch Commander will immediately be notified and respond to the North District to meet with the CSI.
 - f. All items will be directly transported to the South District with no stops during the transport absent exigent or emergency circumstances. On arrival at the South District, MMU personnel will take custody of the property and ensure the locker key is returned and signed back in on the sign out sheet.
 - g. In the event CSI personnel are unavailable to pick up the property/evidence from the North District, MMU personnel will be responsible for the collection and transport of the items. MMU personnel will be responsible for ensuring a S14EC CFS is generated thru the Communications Center, then closed upon their return to the South District.
2. The packaged property or evidence will be examined to ensure that the case report number, the article number(s), the date impounded, the Suspect's name, the Victim/Owner's name, the description of evidence and the officer's name and identification number are reflected on the packaged item(s) and printed property report from the In-Field Report system.
 3. The seal will be reviewed to ensure it contains the impounding officer's initials (this seal will, in no way, be disturbed as this helps to maintain integrity in the chain of custody). Per FDLE policy, evidence tape must be

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used in addition to the seal of self-sealing plastic bags. The impounding officer's initials of impounding must cross over the evidence bag and tape.

4. The property/evidence bag or tag will be compared to the incident reporting database of Public Safety Naviline in order to verify that the items received correspond with the information contained in the electronic report.
5. The evidence bag/tag must be signed in the Chain of Custody noting in the space "TO" by the Materials Management Specialist, RIE ("Received into Evidence") is recorded in the space "FROM" and the date and time of receipt into evidence is notated in the space "DATE/TIME".

Example: RIE 11/22/92 JD
 (RIE - refers to Received into Evidence)
 (Date - refers to Date of Intake)
 (Initials - initials of Specialist)

6. If the property received is not listed under the case in Incident Reporting of Naviline, the evidence bag is signed as stated above and placed in a box located in the Evidence Room designated for pending reports, to be checked on a daily basis. If the property does not appear in the report in a timely manner, an email will be used as formal notification to the officer that the property has not gone through the proper channels of the Naviline database. The supervisor will be copied on this email.
7. Items which fall in the categories of (1) Controlled Substances or Narcotics, (2) Firearms, (3) Currency and (4) Jewelry require a higher level of handling with regard to accountability and storage. (Refer to section on Handling of Controlled Substances and Narcotics; Biohazards and Sharps; Currency; and Firearms specific handling procedures for these items.)
8. Members who collect DVD's or CD's which contain interviews or photographic evidence pertaining to an arrest will make an extra copy to be submitted with the report to Records. The member will ensure that the correct DR number, item number, and their information are listed on each CD/DVD. The original CD/DVD will be submitted to property evidence accordingly. If there is no arrest at the time of the report, only the original CD or DVD will need to be turned in to Property and Evidence. Any CD/DVD containing child porn must be labeled as such on the evidence bag and CD/DVD. **DO NOT** make a copy for SAO as these are viewed with the Detective. Be sure to use Code: AAAACDCP with a description of CHILD PORN**** on the infield property report.

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9. Indelible marking pens (**permanent markers/Sharpies black in color and fine type only**), **not an ink pen**, are to be used to prevent markings from fading and becoming unreadable.

10. The required information from the evidence bag is to be compared to the entry made by the submitting employee into the established computer database currently Naviline H.T.E. This entry will be pulled from the Records portions of the database into the Property & Evidence database. The database will be completed to contain the following information:
 - a. Evidence Tag Number (this is assigned by the submitting member)
 - b. Quantity
 - c. Description of property
 - d. Serial Number, if applicable
 - e. Property Status (i.e. Evidence, Found, Forfeiture, etc.)
 - f. Property Type
 - g. Value, if currency
 - h. Make/Model, if applicable
 - i. Current Location of Property
 - j. Submitting employee
 - k. Received By Employee
 - l. Date and Time property was received
 - m. Chain of custody from time of receipt until final disposition

11. Once the information is entered in the database, a self-adhesive barcode label will be printed and placed on the outside of each envelope so that the item is easily readable for identification, storage and retrieval.

12. Metal tags will be placed on the bicycles secured in the bicycle impound area. The corresponding tag number is to be recorded on the property report.

13. Occasionally, an item will be submitted where a tag will have to suffice for identification purposes.

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- a. **Found Property** - When Found Property is submitted, an H.T.E. printout will be placed in the "Found Property" file, located in the administration file drawer. This folder is reviewed monthly.
 - b. **Safekeeping Property** - When Safekeeping Property is submitted, the Safekeeping receipt is scanned into laserfische in the "Safekeeping Property" file. This folder is reviewed monthly.
14. The property or evidence will then be appropriately stored (Refer to section on Property and Evidence Storage).
 15. Any property or evidence that is not properly packaged or marked and/or any paperwork which is not correctly completed by the impounding officer will be referred back for required corrective action. An e-mail to the officer is used as a formal means for advising the member and their chain of command, (Sergeant on 1st and Sergeant and Lieutenant on 2nd) of the noted discrepancy. The kickback information will be added to the "Kickback" list currently in Excel.
 16. Those items being held will then be placed in the designated "Kickback Locker" located within the Supply Section's outer office until such time as the correction is made.
 17. Those items placed in the "Kickback Locker" will be entered into evidence even though corrections are to be made, unless the DR# is incorrect.
 18. Items that are not corrected within seven (7) days will be referred to the Materials Management Supervisor.
 19. Once items are received back into evidence, the Materials Management Specialist scans the barcode labels to generate the return chain of custody by following the directions on the screen of the handheld.
 20. When drugs are returned to evidence, the Materials Management Specialist will reweigh and sign the chain of custody on the evidence bag and scan the barcode label to generate chain of custody within the database.
 21. All paperwork is then scanned into laserfische.
 22. Items are placed back in the designated locations within the evidence room.

701.4 Intake of Controlled Substances/Narcotics; Biohazards/Sharps; Currency; and Firearms

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A. Controlled Substances - The packaging of controlled substances/narcotics by the impounding officer will be handled as follows:

1. Controlled substances will be packaged separately from other items and from each other.
2. The impounding officer will package and seal the controlled substance/narcotic and will clearly mark the gross weight on the outside of the package. This same weight is recorded in the 'quantity' column of the electronic property report. Per FDLE policy, evidence tape must be used in addition to the self-sealing plastic bag and initials crossing over tape and bag. Marijuana will be packaged in the following manner regardless of weight:
 - a. Marijuana will be emptied from its current container (pipe, plastic baggy, etc.), into a paper evidence bag.
 - b. The container will be packaged separately in a paper evidence bag. If the marijuana was in one or more plastic baggies, they will be placed together in a separate bag. **EXAMPLE:** Twenty plastic baggies seized, all the marijuana inside the baggies will be emptied into one paper evidence bag. The twenty baggies will be packaged together in another paper evidence bag making two total items of evidence.
3. The impounding officer will count all submissions of pills or capsules, subsequently sealing and weighing the package. If the manufacturer's seal has not been broken, the pills or capsules need not be counted. However, the packaged container still **MUST** be weighed as outlined above. Large quantities of pills (over 25-count) need not be counted, but must be weighed with the gross weight. **All pills going to FDLE must be weighed with gross weight in the 'description' on the front of the evidence bag.**

TABLETS/CAPSULES

1. Outer packaging must be a clear plastic bag intended for evidence submission. All openings must be properly sealed as described in the FDLE Evidence Submission Manual. The drugs to be tested must be clearly visible.
2. Contents must be removed from prescription bottles or other packaging which would prevent a visual inspection.
3. Contents must be clearly described on packaging and Prelog form to include the following information:

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- a. Markings on each side of the tablet/capsules (must indicate if no markings exist).
- b. Gross weight must be clearly labeled on the front of the evidence bag in the description.

EXAMPLE: Side 1 yellow tablet marked R039, Side 2 no markings present

Additional information such as shape and color must be included.

POWDERS AND OTHER SOLID SUBSTANCES

1. Outer packaging must be a clear plastic bag intended for evidence submission. All openings must be properly sealed as described in the FDLE Evidence Submission Manual. The drugs to be tested must be clearly visible.
2. Loose powders and other similar substances should be placed in a smaller clear plastic bag before being sealed into outer clear plastic bag.
3. Contents should be clearly described on packaging and Prelog form and include the weight. Indicate whether weight is with or without packaging.
4. Under no circumstances will powder substances be stored in the temporary storage lockers located at the North District. These items will be stored at the South District in the proper storage area.

All items not packaged in this manner will be returned to the submitting agency without analysis. If you have any questions, please contact your local FDLE Laboratory's Evidence Intake Supervisor.

B. Package Receipt - The receipt of packaged controlled substances/narcotics:

1. The Materials Management Specialist will examine the package to ensure that it has not been tampered with.
2. The Specialist will weigh all controlled substances and narcotics when receiving them into evidence. Any discrepancy between the impounding member's recorded weight and the actual weight as noted by the Specialist will be noted on the outside of the evidence container. Any weight discrepancy in excess of five tenths (0.5) of a gram of any substance will be considered unacceptable.

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- a. When the weight discrepancy is unacceptable, the Specialist will notify the impounding officer, or a supervisor, and together they will examine the package for signs of tampering and will re-weigh the package.
 - b. The correct weight will be noted on the outside of the evidence container. Each person will initial the container near corrected weight markings.
3. The gross weight of the package obtained by the Specialist will be marked on the package.

C. Packages Containing Biohazards and Sharps

1. Accepting biohazard items by the Materials Management Unit will be regulated by strict adherence to Agency/Unit procedures. No variations will be tolerated without the approval of a supervisor of higher level in the chain of command. Materials Management Specialists will be trained pursuant to the Agency General Order on Infectious Disease Control [GO 415](#) and Operating Manual on Exposure Control [OMA 415](#). Procedures in both will be strictly followed.
2. The Specialist retains the right to refuse any evidence that is improperly packaged. Biohazard evidence can be packaged in either plastic bags or paper bags, depending upon the nature of the situation. Those items requiring FDLE analysis must be sealed with evidence tape and contain the date and initials of impounding officer crossing over both the tape and evidence bag.
3. Personnel will wear protective gloves whenever they handle biohazard material and will thoroughly wash their hands immediately afterwards. If you come into direct contact with any items contaminated with a suspected biohazard material, immediately report the incident to the supervisor. Staples will not be used to seal biohazards.
4. An international biohazard symbol will be affixed to the outside of the container.
5. The package should also be marked with any applicable warnings regarding the condition of the contents: e.g. warning: sharps (noting a sharp object) or warning: liquid blood inside.

D. Processing Currency

1. All currency impounded (evidence, safekeeping, found, forfeiture, counterfeit, etc.) will be packaged and accounted for as specified in Department General Order [GO 701](#).

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2. All openings to the container will be sealed with evidence tape. This includes the small openings left at the corners of plastic evidence bags. These seals must contain initials of impounding officer.
3. Foreign currency of any denomination, because it is negotiable tender and can be converted to United States currency, is subject to the same manner of handling and storage as all other currency.
4. Counterfeit currency must be processed in the same manner as genuine currency.

E. Seized Asset Forfeiture Currency - Currency that has been seized for forfeiture is processed and packaged according to GO 701.10. However, once secured in the MMU the following procedure will be followed:

1. **Deposits** - All forfeiture currency will be deposited within 72 hours of seizure into MMU. The deposits will be made by two MMU Specialists once the City Attorney's Office provides MMU Section with required deposit slip indicating proper account to deposit the money in. Depending on the amount of deposit, other personnel will be required to assist.
 - a. Prior to the deposit of the currency, the MMU Specialist will inspect the integrity of the evidence bag to include the evidence tape and the initials on the tape of all parties present at the original submission count. Prior to the deposit of the currency, a forfeiture deposit form will be forwarded to the MMU.
 - b. All seized currency will be deposited with the Finance Department cashier at City Hall. The cashier will be provided with the account number. The deposit slip will be dated, timed, and amount stamped by the cashier. The original ticket deposit receipt will be given to the City Attorney's Office.
 - c. The evidence bag containing the currency will be placed in a brown bag prior to leaving the MMU office for deposit.
 - d. Any discrepancy realized at the time of deposit, will require immediate notification to the Support Services Division Commander, or designee, in the absence of the Division Commander.
2. **Breach of Integrity** - If a breach of the integrity of the evidence bag containing the currency is discovered by the examining MMU Specialist, the following procedures will apply:
 - a. If a breach of integrity is discovered, the MMU Specialist will return the evidence bags containing the currency to the secure evidence vault and immediately contact the MMU Supervisor and Logistics Manager.

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- b. **All** currency recounts should be done within the MMU office or other secure room in the Police Headquarters Building. The evidence bag will be opened in the presence of the MMU Supervisor and Logistics Manager. The bag will be opened so as to maintain integrity of the original seal. The original video will be reviewed.
- c. **Any discrepancy between the recount and the original submission count requires another immediate recount.** If the recount resolves the discrepancy, the deposit may proceed. If the second recount does not resolve the discrepancy, the MMU Supervisor, Logistics Manager and any witnesses will exit the MMU office and secure the office. The Logistics Manager will inform the Division Commander, or designee, if the Support Services Division Commander is not available. The Support Services Division Commander will consult with the Chief of Police on a course of action to review the discrepancy in the currency recount.

F. Firearms packaging

1. Information on the weapon will include at least the brand or make, model name or number (whichever is applicable), serial number and any other details relevant to the firearm.
2. The property report and all evidence packaging must also be marked weapon **loaded or weapon unloaded** depending on the circumstances. An Agency Firearms Instructor or Armorer will be called if necessary. Firearms will always be handled in a safe manner and pointed in a safe direction. The unloading and checking of firearms at the police station will only be done at the designated inspection location.
3. Prior to submitting the firearm into Property and Evidence, the officer will have run a stolen check on the weapon through FCIC and NCIC. The impounding member will notate in their report if the firearm is either stolen or clear FCIC/NCIC. **At no time will a member submit any FCIC/NCIC printout with the firearm.**
4. If the computer is down, the officer will note that in their report. In these cases, the Specialist will contact the Communications Center and request they run the weapon at that time. If the weapon comes back as stolen, the impounding officer is to be immediately notified.
5. If the impounding member is unable to unload or verify a firearm is unloaded, the firearm will NOT be stored in the temporary storage lockers located at the North District. Contact should be made with an on-duty Firearms Instructor in order to make the weapon "safe". In the event there is no firearms instructor working, the Watch Commander will be notified.

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6. The Specialist will notify the Major Case Unit supervisor via email whenever firearms, ammo or any other firearm-related item is received into Property and Evidence.

G. Paraphernalia Packaging - Paraphernalia will be packaged separately from drugs and other items. Each item will be listed on the report.

H. Computer disks (CD's / DVD's) - Computer disks will be packaged in evidence bags then placed in the designated locker marked "Computer Disks".

I. Fireworks/Explosives/Flammables

1. **Background** - Storing of fireworks, explosives and flammables pose a great risk, therefore they are not to be routinely submitted as evidence. The Watch Commander or higher authority must approve the submission of these types of items as evidence.

2. Procedure

- a. Fireworks should normally be turned over to Range Personnel for disposal. A photograph will be used as court evidence.
- b. Explosives should normally be turned over to the Brevard County Sheriff Office Bomb Squad for disposal. A photograph will be used as court evidence.
- c. Flammables are normally photographed and disposed of through approved disposal methods. If necessary, you may contact the Palm Bay Fire Department for assistance.

701.5 DUI Videos - All DUI video recordings will be submitted to Property Evidence via DVD or CD in the same manner as other videos unless the officer has in car video recording equipment. All in car video will be submitted per OMC505.

701.6 Property and Evidence Storage

A. General - Generally, items are stored in the Evidence Room in envelopes which are stored in designated aisles in case report number order. These envelopes are marked with labels containing the case report and item numbers corresponding to the property or evidence they contain.

B. Other Property - There are several categories of items that are stored separately, either initially or subsequently thereafter.

1. Bicycles impounded as evidence are to be stored in the bicycle impound lot.

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2. Found bicycles will be stored in the bicycle impound lot. Once the report is received, the Specialist will affix a numbered metal tag to the bicycle. The Specialist will record the tag number on the property report and record the same information in the database in place of the item number.
3. Blood samples will be stored in a sealed condition in the secure refrigerator.
4. Small quantities of cannabis and all other drugs will be stored in Evidence Room #132 in the designated secure lockers. Large quantities will be stored in the alarmed warehouse behind the designated securable gate.
5. Currency will be kept in Evidence Room #132 in the secure locker(s).
6. Firearms are to be stored in an area secured in the Evidence Room. Any ammunition, magazines, holsters, or other accessories may be stored with the firearm or in the evidence room, whichever is appropriate as long as they are packaged separately.
7. LSD is to be stored in the secure refrigerator prior to being sent to the lab. Once lab testing is completed, LSD may be stored in the drug section of the evidence room.
8. Sex crime kits may be stored along with other secure biohazard evidence.
9. All valuable items (gems, precious metals, jewelry) will be stored in Evidence Room #132 in the designated secure locker.
10. Special arrangements will have to be made regarding extremely large items, heavy items, perishables or items considered a safety hazard. Such items may be handled with expedience by contacting the impounding officer, case investigator, or the State Attorney's Office. Whenever feasible, photographs of the item may be deemed sufficient as evidence in a criminal proceeding.
11. Special care will be taken with regard to heavy items. Such items are to be marked "heavy" and stored in such a location so that the item is not over waist level on any given shelf. If a box is heavy, the outside of the box should be marked conspicuously with the word "heavy." It is important these precautions be taken to preclude any chance of injury to an employee.
12. Prisoner property may be turned in for Safekeeping and stored in the main evidence room with bulk items. The Materials Management Specialist, during intake, must ensure that a Prisoner Property form has been turned in by the impounding officer.

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- C. No property or evidence will be left in the Administrative Office area (Room #130) during non-duty hours.

701.7 Checking Out Property or Evidence

A. Authorized Persons - Only those persons listed below are authorized to check out or request copies of any items of evidence for any reason. If a person requests an item of evidence be checked out or copied who is not listed below, the MMU Supervisor will be notified and determine the correct course of action.

1. Impounding officer or case investigator (responsible for the case).
2. Supervisor (within the chain of command for either the impounding officer or case investigator).
3. State Attorney or Assistant State Attorney (prosecuting the case).
4. Crime Scene Technicians (upon request of impounding officer or case investigator).
5. Forfeiture Personnel or their designee only for forfeiture related items.
6. Internal Affairs Unit investigator.
7. Department administrative personnel may, with permission of their supervisor, check out tapes for transcription purposes.
8. Records Unit personnel for transporting to SAO, tag office, etc.
9. Domestic Violence advocates for court purposes.
10. Crime analysts for cases they are assigned or assisting with.
11. SWAT Commander or designee for purposes of search warrant case file and intelligence. Any request will be made via email and SWAT Commander and MMU Supervisor shall be CC'd in the email.

B. Procedures for checking item out

1. The evidence to be checked out is brought to the front counter area.
2. The individual checking out the item will scan the evidence labels of the items to be checked out using the handheld scanner. When the custody report prints out, the individual needs to sign the report. A copy may be provided upon the individual's request.

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- a. If the item is checked out for court, a copy will be given to the individual to have signed by the court if the item is to be maintained by the court.
 - b. If there is no barcode label, one will be printed and affixed to the items.
 - c. If the item is not in H.T.E., the individual will sign a Chain of Custody form reflecting their name in the space 'Received By'; listing the items being checked out in the "Item #'s column". The MMU Specialist will indicate the reason for checking item out in the space 'Reason' and record the date and time in the space 'Date and Time'.
3. The custody sheet is filed in the 'signed out property' file located in the Administrative file cabinet.

701.8 Officer Accountability for Property or Evidence Signed Out

A. Property or Evidence Signed out for Court

1. Except when admitted as court evidence, item(s) removed for court purposes will be returned to the Property and Evidence Section no later than 24 hours after removal.
2. If the trial is continued or postponed, the evidence must be returned no later than 24 hours after removal.
3. If admitted as evidence, the printed custody report will be signed by a court officer and returned to the Evidence room within 24 hours after removal.
4. If the printed custody report is also admitted as evidence, the responsible officer will obtain from the Clerk of the Court a receipt indicating that the Court in fact held the evidence and the printed custody report copy.
5. The supervisor of the responsible officer will be notified by the MMU Supervisor when evidence or the property has not been returned within three working days.
 - a. If there is an unsatisfactory answer to the missing item, the MMU Supervisor will ensure that notification has been made to the Chief of Police via their chain of command.
 - b. If there appears to be a violation of Agency General Orders or Operating Manuals, the MMU Supervisor will ensure that the Internal Affairs Unit has been notified **immediately**.
 - c. If the item is to remain checked out longer than this Operating Manual allows and not checked out to the court, the member in possession will

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notify the MMU Supervisor through their supervisor as to the circumstances. The member will provide a time frame as to when the item will be returned (excluding items being turned over to the court).

B. Property or evidence signed out for Investigative Purposes

1. Property or evidence removed will be utilized when required for activities in furtherance of an active case investigation.
2. When such property or evidence is signed out, it will be returned within seven days to Property and Evidence, unless a memorandum has been written specifying that additional time is required. Exceptions, which may necessitate waiver of the seven-day time limit, will require approval by the Division Commander.
3. The supervisor of the responsible officer will be notified by the MMU Supervisor when evidence has not been returned within the seven-day period.
4. Any member who checks an item of evidence and cannot return it (i.e., drugs used for sting investigation). The member who witnessed or has knowledge of the items being destroyed will email the MMU supervisor of the circumstances. The member will also ensure that the Chief of Police via their Chain of Command is included in the email. The member will complete a supplement report advising of the details. If there is any video/audio of the destruction, it will be submitted into evidence.
 - a. If there is an unsatisfactory answer to the missing item, the MMU Supervisor will ensure that notification has been made to the Chief of Police via their chain of command.
 - b. If there appears to be a violation of Agency General Orders or Operating Manuals, the MMU Supervisor will ensure that the Internal Affairs Unit has been notified **immediately**.
 - c. If the item is to remain checked out longer than this Operating Manual allows and not checked out to the court, the member in possession will notify the MMU Supervisor through their supervisor as to the circumstances. The member will provide a time frame as to when the item will be returned (excluding items being turned over to the court).

701.9 Receiving Items Back into Property & Evidence

- A. Returned Items** - If a property report was signed at the time the property was checked out, the second copy of the property report is to accompany the item(s) being returned.

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- B. Property Report** - The original property report or printed custody report will be retrieved from the file.
- C. Drug Evidence** - Drug evidence will be returned in its original sealed package. All returned drug evidence will be reweighed and any damaged or unsealed returned drug evidence will be reweighed and resealed in the presence of a MMU Specialist by the returning officer. Any discrepancies will be recorded on the property receipt. The officer will also be required to write a supplemental report detailing the circumstances of the discrepancy and/or unsealed package and forward the report to his supervisor within 24 hours.
- D. Sign Property Report** - The property report or printed custody report is signed in the appropriate spaces. The 'Reason' should reflect "RBIE" (Received Back into Evidence).
- E. "RBIE"** - The date and the initials of the Specialist will be recorded on the package if the item falls within the categories of controlled substances/narcotics, firearms, currency or jewelry. Items outside of these categories will not require this information.
- F. Barcode Scanner** - Property that is received back into evidence will be checked in using the barcode scanner. Another custody report will print showing the item(s) were received back in. The specialist will sign the report verifying they received it. This report will be attached with the original custody report
- G. Storage Return** - The item(s) are placed back in their assigned storage area.
- H. Filing-** The paperwork is then laserfiched.

701.10 Evidence and paperwork for the Florida Department of Law Enforcement (FDLE) lab

- A. Procedures** - Evidence to be delivered to any State Regional Crime Laboratory will be handled in the following manner:
 1. The requesting officer will complete the required information for the analysis on a photocopy of the FDLE Request for Examination of Physical Evidence Form. The photocopy of the lab form will be submitted to Property and Evidence (Note: Most drugs are not taken to the lab until requested by the State Attorney). Routinely submitted evidence, such as DUI kits, do not require the officer request, although they do require FDLE Toxicology form located in DMS. These forms are turned into Property & Evidence.
 2. The MMU Specialist will complete the request using the FDLE Lab Web Pre Log and submit to the FDLE Lab.

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3. Barcode labels need to be printed for each piece of evidence to be affixed to the individual evidence bags, if not already done.
4. After the paperwork has been completed on the respective item, both the paperwork including a copy of the FDLE request form and the evidence are to be placed in the box labeled "FDLE" until transported to the lab.
5. Evidence requiring refrigeration will remain refrigerated until the day of transportation however, the paperwork will be noted reflecting its location and placed in the FDLE box.
6. The evidence to be taken to the lab will be brought to the front desk.
 - a. The evidence will be signed out in accordance with established procedure.
 - b. An entry will be made in the appropriate database recording the chain of custody if barcode labels are not available.
 - c. When a courier is used to transport the evidence to the FDLE Lab, other than MMU staff, the Specialist/Technician turns the evidence over to the individual using the handheld scanner. "FDLE LAB" will be used as the reason. If MMU staff acts as the courier, the custody will be signed out to the lab directly, still using "Lab" as the reason. A custody report will print and the courier will sign the report acknowledging receipt of the items to be transported. This report will be placed in the temporary "FDLE" file along with all of the copies until the Courier returns with the FDLE Lab receipts.
 - Any time narcotics and/or weapons are being transported from the Property and Evidence Section to any off site, out of county facility for any reason, a sworn officer will either accompany the Evidence Technician to the destination or may act alone as a department courier for delivery and/or pickup.
 - d. The FDLE representative will return the reports to the Specialist or Courier. FDLE will provide the Specialist with a copy of the processed FDLE Request for Examination of Physical Evidence Form confirming current possession of the evidence submitted for analysis. These forms will include the signatures of the courier and the FDLE representative as well as the date and time the evidence was received at the Lab.
7. The Materials Management Specialist upon return will:

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- a. Enter the Lab number into the computer following the word "Lab" for those items of evidence submitted for analysis:
 - Example: FDLE Lab #9324567
 - b. Retrieve the original custody report and the copies from the temporary FDLE file and scan the Lab Form with the respective property reports in laserfiche.
8. While at the Lab, the Specialist/Technician or Courier will retrieve any evidence previously submitted and ready to be returned to the Agency. The Lab will have the Specialist/Technician sign for these items and will provide a copy of the receipt.
9. Items returned from the Lab will be handled in accordance with normal procedures for receiving items back into Property and Evidence. When the custody report prints, the Specialist will sign the custody report acknowledging receipt of the items and scan it in the "FDLE – IN" file located in laserfiche.
10. The Lab Analysis Results will be retrieved from the Prelog FDLE database. These results will be scanned into laserfiche to the case report.

701.11 Disposal of Property or Evidence

A. Final Disposition

1. Final disposition information is obtained from three sources:
 - a. State Attorney's Office Notification
 - b. Court Information Computer Network
 - c. Evidence Disposition Report
2. Upon receipt of the State Attorney's Final Disposition Notification, the Materials Management Unit Technician will place the Notification into the ninety day retention file.
3. If after ninety days no appeals have been filed and/or the case has not been reopened, the member is issued the Evidence Disposition Report through email.
4. The member will authorize disposal of the evidence or indicate the reason that the item(s) should be maintained. The member will electronically sign the form and save it as either the defendant's name or DR number. The member will then return the form to MMU Technician who emailed the

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form to them within ten days via email only. If the member does not return the Evidence Disposition Form within ten days, the respective Division Commander will be notified and corrective action will follow.

5. Upon receipt of authorization to dispose MMU technicians will follow procedures set forth in [GO 701.20](#).

B. Narcotics/Controlled Substances, Paraphernalia and Biohazard Material-

The following procedures will be followed in order to conduct a program that allows for the continuing destruction of those items listed to be destroyed by means of a public burn facility:

1. Narcotics/controlled substances.
2. Sexual Assault Evidence Collection Kits.
3. Liquid or dried blood.
4. Body-fluids (any type).
5. Body-packed contraband.
6. Any sharp objects believed to be contaminated with blood or body fluids.
7. Any clothing contaminated with blood or body fluids.
8. Any item identified as or deemed to be a biological hazard and any other types of item where it has been determined that burning would be a suitable means of destruction

C. Destruction of Narcotics and Biohazard Material

1. Narcotics/controlled substances to be destroyed will be subsequently placed in the designated box for the drug burn.
2. Other items to be destroyed will be verified against the respective property report and data record. The package(s) will be placed in the designated box for the drug burn.
3. Those items identified as or determined to be biohazard will be placed in a box specifically indicated for biohazard material.
4. The property report will indicate the item(s) for destruction.
5. An entry will be made in the location field indicating which box the item was placed in.
6. The property report will be filed in the file cabinet drawer "Disposition of Property" under the heading of "Item for the Drug Burn" and in the

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respective file indicating the box number. Within each file, the paperwork will be filed chronologically by case report number.

7. When an ample amount has been placed in the box, a joint inventory will be made by a Materials Management Specialist and the Materials Management Supervisor and the box will be sealed, reflecting the date and initials of each person.
8. When a sufficient amount (approximately 5 – 10 boxes worth) has accumulated, the designated destruction facility will be contacted to obtain a date and time for said destruction.
9. A report will be generated through WebReports of all locations in Naviline labeled “BB/BOXA,B,C,” etc. The report is attached to a cover letter that is sent to the SAO for approval.
10. Once approval is received from the SAO, the Petition for Forfeiture and Destruction of Contraband is prepared. This should be attached to the approval letter from the SAO and the report of all contraband being disposed. The MMU Supervisor then transports the paperwork to the Judge’s office in Melbourne or Viera for signature.
11. Once all paperwork is in order, the destruction or burn of contraband is taken to the designated facility on the assigned date by the MMU Supervisor and an armed officer.
12. After the burn has been completed, the Return of Destroyed Controlled Dangerous Substances and Other Contraband affidavit will be executed.
13. The Petition for Forfeiture and Destruction of Contraband, the Order for Destruction of Contraband, the Return of Destroyed Controlled Dangerous Substances and other Contraband, and the Exhibit (list) will be put together as one package. Original documents will be **sent by courier to the Clerk of the County and Circuit Court, Attention Mary Anna Joswick - Viera.**
 - a. Two copies of the documents will be made prior to sending the original packet to the Clerk’s Office. After the Clerk’s Office receives the original packet and administers the Administrative court number, this number will be written on the two copies and distributed as follows:
 - One copy is to be retained for the Property and Evidence Section file.
 - One copy is to be sent to:
 - Drug Enforcement U.S. Department of Justice

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- US Department of Justice Orlando Office

300 International Pkwy, Suite 424
Heathrow, FL 33946
Attention: Diversion Division

14. The property report will indicate the name of the Supervisor, the reason (i.e. 05-2011-CA-44544-XXXX-XX) (this indicates the Court order number the item was destroyed under) and the date and time of the destruction.
15. A computer entry will be made in the location field of Naviline indicating the Court Order number of the destruction (i.e. 05-2011-CA-44544-XXXX-XX). In the disposition field in Naviline indicate 009 which is "Destruction by Court Order" and the date of the destruction.
16. Complete a "Chain of Custody" in Naviline showing the MMU Supervisor who completed the destruction, the date and time of the destruction, and ensure the disposition field indicates '014' which means destruction.
17. The property reports will then be to the case report.

D. Weapons and Firearms

1. Section [FSS 790.08](#) governs the disposal of weapons confiscated from persons arrested.
2. Confiscated weapons (weapons, electric weapons or devices) will be retained until the final court disposition is determined. If the defendant is convicted, the weapons will become forfeited to the State. The statute does not require an order of forfeiture, but "the making of such an order will be deemed proper" [FSS 790.08\(2\)](#).
3. If the defendant is acquitted, the weapons will be returned upon:
 - a. The presentation of a court order,
 - b. A signed Property and Evidence Release Form from the impounding officer, or
 - c. A signed release from the prosecuting State Attorney. The supporting document will be attached to the property report.
4. If the Defendant fails to call for or receive the weapons within the statutory 60 days after acquittal or dismissal of the charges, the weapons will be delivered to the Brevard County Sheriff's office after the Agency's minimum 90-day retention period has expired.

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5. Section [FSS 790.08](#) also governs the disposal of past, present or future abandoned or otherwise discarded weapons, or weapons left in the custody of the Agency and not claimed by the owners. The weapons are then delivered to the Brevard County Sheriff's office after the Agency's minimum 90-day retention period has expired. The Sheriff's Office will hold these weapons for an additional six months. If not claimed in that time period, the weapons are forfeited to the State.
6. Once it has been determined that a weapon is to be turned over to the Sheriff's Office, the following procedure will be followed:
 - a. The recorded information on the property report will be compared with the weapon to verify the item's description and serial number. A second verification will be made with regard to the computer entry. A list will be prepared noting the case number, serial number and description of the firearm. This list is then given to the Communications Center who will complete a final FCIC/NCIC computer check of all weapons on the list. Those weapons shown as "hits" will be removed from the list and handled appropriately. The remaining weapons are then clear for conversion to Agency use or destruction.
 - b. Those weapons cleared will be placed in the designated locker in Room #132.
 - c. A barcode label for each item for BCSO will be printed and affixed to the paperwork.
 - d. A computer entry is made noting "SOD" (Sheriff's Office Disposition) in the location field.
 - e. Ammunition will be separated from the item and turned over to the Agency Range Officer. A box is specifically marked for this purpose in the main Evidence Room. The required computer entry will be made.
 - f. Holsters that are in apparently good condition will be placed with those items for contract based live on line auction known as Property Room.com or brought to the department Range. Holsters in less than good condition should be destroyed. In either instance, the appropriate notations will be made through the required computer entry.
 - g. The property report is filed in the "Items to be Turned Over to BCSO File" located in the administrative file drawer.
 - h. When the numbering has been complete, a second copy of the list will be made.

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- i. Once the firearms have been turned over to BCSO, the Materials Management Specialist will sign on each document as the releasing agent for the Agency. The receiving BCSO person will sign as the receiving agent. One copy of the list is supplied to BCSO and the other retained for Section files.
- j. After transfer of the firearms, a computer entry will be made in each record noting "TOT BCSO" in the comment/remarks field. The date of the release and the employee number of the respective Specialist will also be listed. Each property report will be signed noting the name of the releasing authority and the date and time of release.
- k. Those weapons to be retained for the Agency's use will be turned over to an Agency Firearms Instructor or Armorer. The appropriate notation will be made on the property report.
- l. The closed property reports will be laserfiched to the case report.

E. Currency

- 1. Currency which no longer has evidentiary value in a criminal proceeding or that has been impounded as lost or for safekeeping, and to which no claim is made will be turned over to the City's Finance Department.
- 2. Currency impounded as evidence will be retained by the Agency for a period of 90 days after the final disposition of the proceeding. If no claim of ownership has been made, said money will be turned over to the City's Finance Department for deposit to the General Revenue Account.
- 3. Currency impounded as lost property and which does not have an identifiable owner will, after a retained 90 day period, be turned over to the City's Finance Department for deposit to the General Revenue Account.
- 4. Currency impounded for safekeeping and not claimed after a retained 90 day period will be turned over to the City's Finance Department for deposit to the General Revenue Account.
- 5. Currency seized for forfeiture will be held for preservation and documentation will be turned over to the City Attorney's Office.
- 6. Foreign currency will be turned over to a contract based live on line auction known as Property Room.com.
- 7. Receipt for deposited monies
 - a. When monies have been deposited as unclaimed evidence or unclaimed (found) property, a copy of the deposit receipt will be

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obtained and scanned with the case file and a copy is scanned into a designated folder in laserfiche.

- b. Monies authorized for deposit into LETF should be deposited within 72 hours of receipt. The original deposit form will be forwarded to the City Attorney's Office.

F. Disposal of Unclaimed Property

1. Disposal of unclaimed personal property or evidence from criminal proceedings is governed by Chapter 705 FSS.
2. Proper notification procedures will be followed per statute.
3. Unclaimed items of personal property or evidence in the possession of the Agency for the purpose or use as evidence may be disposed of in any of the following ways:
 - a. Retained for Agency use
 - b. Retained for use by the State or unit of local government
 - c. Sold to another unit of local government
 - d. Donated to a charitable organization or a nonprofit organization
 - e. Sold (To contract based live on line auction known as Property Room.com)
 - f. Destroyed

G. Property retained for official Department use

1. When appropriate, a Materials Management Specialist will notify a Division Commander of items, which may be used by or within their unit.
2. The Division Commanders will determine which items may be of use within their Divisions.
3. The Division Commander, or designee, will make arrangements with the Materials Management Unit to view those items of interest.
4. The Chief, or designee, will determine the appropriate utilization of the property.
5. Once a decision has been made, the Division Commander requesting the retention of the property will obtain written authorization from the Chief of Police, or designee. A copy of the authorization is attached to the original property report and one is maintained in the Evidence Room files.

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6. Property that is to be sold will be turned over to contract based live on line auction known as Property Room.com.

H. Property not of appreciable value

1. Any property or evidence, which has been determined not to be of appreciable value or use to the agency, will be destroyed.
2. The property or evidence will be destroyed in any of the following manners, depending upon type of item, so long as it has been rendered useless: break up, soiled completely, cut up, torn up, shredded, drained, demolished or crushed. The term "destroy" implies a tearing down or bringing to an end by wrecking, ruining, eradicating, etc.
3. The property report will reflect the appropriate disposal of the personal property and/or unclaimed evidence.
4. A computer entry will be made to record final disposition.

I. Evidence Retention

1. Per public record, any evidence that can be copied (CD's, DVD's, documents, letters, etc. must follow Records Retention rules.
2. When case evidence is prepared for disposal, place those items for retention in the appropriate box.
3. Once the box is at maximum capacity, prepare a list of items contained in the box. Prepare a "Records Transfer Request" form for the City Records Retention Administrator following the records retention schedule. Forward form to City Records Retention Administrator for review and temporary box number. Once form is returned by the City Records Retention Administrator with appropriate information, scan items and make an appropriate chain of custody in the database indicating items are TOT Records Offsite Storage with the date and time of transfer.
4. Scan retention list paperwork to the appropriate folder in laserfiche once transfer complete.

701.12 Release of Found Property

- A. Notification to Owner** - If the owner of the property is listed on the property report along with the owner's address, the Specialist will send the owner a postcard and make entry in the Narrative section of the Property & Evidence database.

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- B. Schedule Pick-Up** - When contact has been made, an appointment will be scheduled with the owner to pick up the items.
- C. Owner Not Located** - If the owner cannot be located, title to the found property is vested in the finder upon the expiration of **ninety one (91)** days from date of delivery of the property to the Agency, provided the notice requirements have been met in accordance with Florida State Statute 705. The finder must make the claim. There is no requirement of the Materials Management Specialist to ascertain the desires of the finder.
- D. Finder Procedure** - In order to release the property to the finder, the finder must have notified the Agency of their intent to claim the property if the rightful owner cannot be identified or located. The property must first be advertised according to Florida State Statute 705. A copy of the property report will be posted in the Agency lobby on those items whose estimated value is \$100.00 or less. All other advertisements will be made in the Lost and Found Section of the Hometown News. Additionally, the finder will have deposited with the City a reasonable sum sufficient to cover administrative costs. A copy of the receipt will be attached to the property report.
- E. Finder Notified** - After the required **ninety-one (91)** day retention period, the finder will be contacted to pick up the item if the owner and/or lien holder has not made a claim.
- F. Disposition** - If either the owner or finder has made no claim within the **ninety-one (91)** day period, the item will be disposed of in accordance with existing policy.

701.13 Release of Gun to Owner: The return of firearms under the custody or control of the Department shall undergo strict adherence to Florida and Federal laws regarding firearm and/or ammunition possession. All safety precautions related to the handling of firearms and/or ammunition shall be observed.

Firearms shall be released once it is determined how the weapon was classified: evidence, found property, or safekeeping. Persons claiming firearms shall be required to show proof of identity and evidence of ownership. No firearm shall be released if there is a legal impediment to possession under Florida or Federal law.

For safety concerns, no ammunition shall be returned at the same time a firearm is released unless a court order specifies otherwise. In those circumstances, a sworn officer shall be present to supervise the release of the ammunition.

The Materials Management Unit shall serve as the Point of Contact for the disposition and vetting of claimants attempting to collect firearms currently in the possession of the Department. All persons attempting to claim a

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firearm shall be queried through FDLE's Firearm Eligibility System (FES) to confirm there are no conditions prohibiting the possession of a firearm under federal or state law. When a claimant requests the return of a firearm, the claimant shall complete the Disposition of Firearm Form in its entirety.

The Materials Management Unit employee assisting a claimant in the return of a firearm shall enter and query the information provided by the claimant from the Disposition of Firearm Form into FES. FDLE will review the claimant's information in accordance to their policy and return one of the following decision codes:

- A. Approval** - The background check results indicate the claimant is not prohibited. The transfer of the firearm may proceed. The control number will end in "A".
- B. Conditional Non-Approval** - Information needed to make a decision is missing and additional research is needed before a final decision can be made. FDLE will contact the appropriate agency in an attempt to acquire the missing information. If the firearm is released under a conditional status and information is later returned indicating the customer is prohibited, the Department will be notified. The control number will end in "CN".
- C. Non-Approval** - the background check results indicate the claimant matches a subject who is prohibited from purchasing or possessing a firearm under state or federal law.
- D. Pending Non-Approval** - the background results indicate that the claimant matches a subject who has been recently arrested (within the past six months) and the case has no disposition. If the claimant insists the case has been to court, he/she should appeal this decision and provide court documentation so that the disposition can be added to the criminal history record.
 - 1. When FDLE returns an "Approval" decision, the ~~Technical Services~~ Materials Management Unit employee processing the return shall return the firearm to the claimant and write a narrative in the Property & Evidence module to the case file with the circumstances and justification for the release of the firearm. The Disposition of Firearm form completed by the claimant shall also be scanned into the original case file regardless of the decision code issued by FDLE.
 - 2. In the event FDLE returns a "conditional" decision, the Department will not transfer any firearms to a claimant, and will permit FDLE three days pursuant to Federal and State law to locate any information required to make a final decision. In the event FDLE does not make a final

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decision within three days, the Department shall release the firearm to the claimant and write narrative in the Property & Evidence module case file with the circumstances and justification for the release of the firearm. The Disposition of Firearm form completed by the claimant shall also be scanned into the original case file regardless of the decision code issued by FDLE.

3. In the event FDLE returns a “non-approval” decision, the claimant is eligible to appeal the decision with FDLE within 21 days of the decision or with the FBI National Instant Background Check System (NICS) after 21 days. If the claimant elects to appeal the non-approval decision with FDLE, the appeal must be submitted using FDLE’s Firearm Purchase Program Non-Approval Form. The Department shall complete the “dealer” portion of the form providing the following information:

- Dealer Name: This will be “City of Palm Bay Police Department”.
- Non-Approval Number: Provide the complete control number from the Customer Queue or Customer Transaction Report.
- Date of Non-Approval: The date of non-approval from the Final Decision Date field of the Customer Queue. This should be provided in month, day, year (MM/DD/YYYY) order.
- Buyer’s Name: Provide the claimant’s complete name as found on the identification presented. The name should be provided in Last, First, Middle order.
- Date of Birth: Provide the claimant’s date of birth in month, day, year (MM/DD/YYYY) order.
- Social Security Number: If the claimant has provided this information, include it in the area provided. The claimant cannot be requested to provide this information.
- The appeal process also requires a claimant to submit fingerprints. Fingerprints may be printed directly on the Non-Approval Form or on a FBI Applicant Fingerprint Card (FD-258). The fingerprinting of a claimant for the purpose of an appeal shall follow the same requirements, scheduling and fee schedule set forth by the Department. If the appeal results in an approval, FDLE will notify the claimant and the Department the appeal has resulted in an approval. The claimant will be directed back to the Department by FDLE to retrieve the firearm(s).
- In the event FES is inoperable at the time a claimant makes a request to have a firearm returned to them, the Materials Management Unit employee assigned to process the request shall

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have the claimant complete the Disposition of Firearm form and then query the claimant in FCIC/NCIC to confirm there are no conditions prohibiting the claimant from possessing a firearm. Prohibiting conditions include felony convictions, domestic violence convictions, and current (active) domestic violence injunctions. If an FCIC/NCIC query returns a felony arrest missing its disposition, the Department will not immediately transfer any firearms to a claimant. The Department shall have three days to conduct research with the arresting agency/court to confirm the claimant has a legal right to possess a firearm. If the firearm is released to the claimant, the Department shall write a supplement to the original case file with the circumstances and justification for the release of the firearm. The Disposition of Firearm form completed by the claimant shall also be scanned into the original case file.

5. In the event a claimant requests the return of ammunition, no employee shall query the claimant's information via FES or FCIC/NCIC as those sources may only be used to determine the eligibility status of a person purchasing or transferring of a firearm.
6. All persons claiming firearms or ammunitions shall be required to sign the Affidavit for Retrieval of Firearm(s) and/or Ammunition. This certifies they meet all current legal requirements to possess the firearms and/or ammunition under Florida and Federal law. All Affidavit for Firearm(s) and/or Ammunition forms completed by claimants shall be scanned into the original case file, regardless of the decision code issued by FDLE.
7. In the event a claimant is not eligible to possess a firearm under Federal or State law, the Department will hold the firearm for sixty (60) days before the firearm is considered abandoned property pursuant to Florida Statutes and is turned over to the Brevard County Sheriff's Office.
8. The following factors are to be determined regarding the release or retention of a firearm following a court decision in the following circumstances:
 - If the firearm was seized in commission of a crime involving a felony, or a crime involving the use or attempted use of such weapon, and the defendant is convicted, the firearm shall be held until the appeals process is exhausted. In a case wherein the appeal process has been affirmed, the firearm shall be turned over to the Brevard County Sheriff's Officer per F.S. 790.08.

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- If the firearm was seized during an investigation of a crime involving a misdemeanor not involving domestic violence or the use, or attempted use of such weapon; and the defendant is convicted, the firearm may be released to the defendant with a certified copy of disposition from the Clerk of Courts or other appropriate Court Order. This shall be within 60 days of conviction. If the firearm is not retrieved by the defendant within 60 days, the firearm shall be considered abandoned property and shall be turned over to the Brevard County Sheriff's Office.
 - If the firearm was seized in commission of a crime involving domestic violence and the defendant is convicted; the firearm shall be held until the appeals process is exhausted. In a case where the appeal process has been affirmed, the firearm shall be turned over to the Brevard County Sheriff's Office per F.S. 790.08.
 - If the firearm was seized in commission of crime in which the defendant is acquitted, the firearm may be released with a certified copy of disposition from the Clerk of Courts or other appropriate Court Order, within sixty (60) days of acquittal or dismissal. If the firearm is not retrieved by the defendant within sixty (60) days, the firearm shall be considered abandoned property and shall be turned over to the Brevard County Sheriff's Office per F.S. 790.08.
 - If the firearm was seized and placed into evidence under any of the aforementioned conditions, and the owner of the firearm is not the defendant; the firearm release/retention follows the same procedure(s). Any electronic records of the firearm seized, is subject to F.S. 790.335 exceptions regarding ownership of said firearm.
9. Found firearms sent to FDLE may be released with evidence of legal ownership and the FDLE testing did not connect the firearm to criminal activity. In the event the firearm is connected to criminal activity, the firearm shall be reclassified as an evidence firearm.
10. Firearms held for safekeeping may include various situations such as Baker Acts, Domestic Violence situations not involving arrests, Driving Under the Influence arrests, and a Breach of Peace.
11. Officers receiving a firearm to be held for safekeeping shall provide the owner, a copy of the Evidence Property Report documenting the acceptance of the firearm.

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12. In situations where a firearm was received for safekeeping in reference to a Breach of Peace, the firearm may only be released with a Court Order.

- E. Safekeeping** - If the weapon to be returned was held for "safekeeping" purposes, the weapon (and ammunition) will be returned.
- F. Stolen Firearms** - Firearms that are reported as stolen will be retained by the Materials Management Unit. The Specialist will notify the Communications Center who will in turn dispatch an officer.
- G. Evidence** - If the weapon to be returned was held as "evidence", said weapon can be returned, however, any ammunition that may have been turned in may be returned to the owner upon their request.
- H. Front Lobby Release** - The Specialist will affect the return in the front lobby area whereby the recipient will sign for the property report for the respective item(s). The recipient's driver's license number will be written under the signature of the recipient on the Chain of Custody paperwork.

701.14 Procedures for Return of Firearms Involving Baker Act and Ex Parte Actions

- A.** All inquiries regarding the return of firearms, together with any ammunition, that were seized for safekeeping purposes resulting from the voluntary or involuntary transport and delivery of an individual to a licensed facility, who is to be evaluated under the Baker Act, including pursuant to an Ex Parte Order, should be directed to the Property and evidence Section for further information.
- B.** Any ammunition that was seized, along with a firearm, from the owner resulting from the voluntary or involuntary transport and delivery of an individual to a licensed facility to be evaluated under the Baker Act, including pursuant to an Ex Parte Order, will be released on the same date as the firearm upon request of the owner. The owner also has the option to transfer custody of the ammunition to the Police Department for destruction.
- C.** Complete the following prior to releasing any firearm: Refer to the process in 701.13.

701.15 Answer to Demand Discovery

- A. SAO Approval** - When a properly executed Answer to Demand for Discovery has been submitted, those items marked "yes" by the State Attorney's Office, and which are in the possession of the Property and Evidence Section, will be provided to the defendant's attorney.

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- B. Documentation** - A Chain of Custody entry will be made for the item number(s) of the copied articles in the property database along with the Specialist's name and the date of compliance.

701.16 Sealed or Expunged Records

- A. Records Order to Expunge** - Occasionally, correspondence will be received from the Records Unit indicating the Agency's receipt of a court order to seal or expunge a defendant's record.
- B. File Check** - If such a document is forwarded to the Property and Evidence Unit, the Specialist will check the office files and the computer records to determine if any such defendant is on file.
- C. Return to Records** - If any information is found on the defendant, the transmittal form along with such information will be returned to Records.
- D. Data Entry** - Any computer entries containing the defendant's name will be deleted and replaced with "SEALED" or "EXPUNGED".
- E. Destruction of Evidence** - Any evidence associated with the case will be destroyed. A Chain of Custody entry will be completed noting the date of the incident and those items destroyed.
- F. Defendant's Name Deleted** - If any information found on the defendant show them as a co-defendant in the case, the defendant's name will be deleted and replaced with "SEALED" or "EXPUNGED".
- G. Second Defendant** - Any evidence associated with the case should be retained in furtherance of on-going charges with regard to the second defendant.
- H. No Record Found** - If no information has been found on the defendant, the Specialist will note on the transmittal sheet "No Record Found", sign and date same and return to Records.

- 701.17 Missing Property or Evidence** - Whenever a MMU Specialist is unable to locate an item of property, which is alleged to be stored within the confines of the Property and Evidence Room, he/she will make a reasonable search for the item. If this search fails to locate the missing item, the Specialist will advise his/her immediate supervisor. If the supervisor is also unsuccessful in locating the item, the Support Services Division Logistics Manager will be advised, in writing, stating the facts of the matter.

701.18 Access to the Property and Evidence Section

- A. Authorized Personnel** - The following personnel are authorized unescorted access within the Property and Evidence Room(s). It will not be necessary

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for these individuals to sign in and out on the "visitor log" during normal business hours.

1. Materials Management Specialist/Supervisor
2. Logistics Manager
3. Support Services Division Commander
4. Deputy Chief of Police
5. Chief of Police

B. Log Sign-In - In the event there is a need to enter the Property and Evidence Room outside of normal work hours, those personnel noted above will be required to sign in and out on the visitor log.

C. Office Access - Police Department personnel are allowed access to the Administrative Office area while in the company of a Materials Management Specialist. Said access will not necessitate the completion of the visitor log.

D. Limited Access to Storage - However, entry to any of the Evidence Storage Rooms (Room #131, Room #132 or the Warehouse) will require said person(s) to sign in and out on the visitor log and will require the presence of a Materials Management Specialist.

E. Non-Department Personnel - All non-department personnel who have an administrative necessity to enter restricted areas are required to sign in and out on the visitor log for entry to the Administrative office area (Room #130) and/or any of the Evidence Rooms (Room #131, Room #132, or the Warehouse) and will require the presence of a Specialist.

F. Regulatory Entry - Whenever a representative from a regulatory agency requests access to any of the Property and Evidence Rooms for the purpose of inspections, the Section supervisor will be notified of the visit prior to granting such access. The supervisor will determine if their presence is needed. If the supervisor is unavailable, they are to be briefed immediately thereafter regarding the nature of the visit.

701.19 Key Assignments for Property & Evidence Authorized Issued - The following personnel will be issued keys for the Property and Evidence Section:

- A. Materials Management Specialists and Supervisor.
- B. All others needing access will ask for assistance from one of the Materials Management Unit personnel.

701.20 Security Alarm System

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- A. Alarmed Areas** - A security alarm system provides security for unauthorized entrance into evidence room 131 and the outside warehouse.
- B. Activation Times** - The system is activated outside of normal work hours and for 24 hours a day on weekends and holidays. Its purpose is to keep the criminal element of the community from gaining access to any of the property or evidence stored within the confines of the Property and Evidence Rooms.
- C. Manual to Operate System** - A manual is on file in the Administrative Office that fully explains instructions and precautions with regard to the operation of the security system.

701.21 Accountability and Inspections [GO 701.22](#)

701.22 Care of Equipment during 'Pending Disaster'

- A. Procedures** - The following procedures should be implemented when personnel are expected to be absent from their place of duty after a hurricane warning has been issued or when other extraordinary weather conditions are imminent:
 1. Ensure that personal computers are powered down properly (turned off). This should include the central processing unit, monitor, printer and the power supply. Then remove all electrical cables and plugs from electrical outlets.
 2. Ensure that all components are situated away from windows and doors, or any other location susceptible to wind and rain.
 3. As an additional precaution, heavy gauge plastic material may be wrapped around all personal computer associated equipment.
 4. All equipment should be picked up off the floor and placed on tables, chairs, or cabinets in case of flooding.
 5. Upon returning to work, inspect all components for visible signs of wind or water damage. Any damage should be reported to the City IT Department immediately. Do not attempt to power up any component that has obviously sustained water immersion or intrusion.
 6. Make sure that cables, plugs, and sockets are clear of any debris and are fully dry prior to powering up the equipment.
 7. In case of doubt or malfunction, you should report the problem immediately to the Logistics Manager.

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B. Member Responsibilities During Disaster - All MMU members will be current on [GO 218](#).

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Victim/Witness Rights and Services		Order No: 802
Rescinds: GO 802 Revised: 03/22/06	CFA 5 th : 14.04, 15.10	Revised: 11/02/17
Reference: 960.001 FSS, OM A802		
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Palm Bay Police Department	
Subject: Victim's Rights and Services	General Order: 802
802 Policy	

- A. It is the policy of this Department to provide information and assistance to victims and witnesses of crime, pursuant to Article 1 6(b) of the Florida Constitution and 960.001, Florida State Statutes. This Policy, written in accordance with state mandates, delineates responsibilities placed upon law enforcement officers, State Attorney's Office, Sheriff's Department, and Correctional Facility responsibilities.
- B. All provisions in this Directive are applicable when the suspect or defendant is an adult or a juvenile, whether or not it is stated within each section.
- C. For the purpose of this directive, the definition of the term **victim** will include: victim, the victim's parent or guardian if the victim is a minor, the lawful representative of the victim or of the victim's parent or guardian if the victim is a minor, the victim's next of kin in the case of a homicide.

802.1 Responsibilities

- A. **Information Brochure** - As soon as is practicable, all victims of adult and juvenile crime will be given an informational brochure, (at the crime scene, during criminal investigation, or in any appropriate manner), so the victim(s) have required information at the earliest possible time. Such card or brochure will include the following information, or will direct the victim where to obtain the information:
 1. The availability of crimes compensation or restitution, which includes the number of 1-800-226-6667.
 2. Crisis intervention services, supportive or bereavement counseling, social service support referrals, and community-based victim treatment programs with appropriate telephone numbers.
 3. The role of the victim in the criminal or juvenile justice process, including what the victim may expect from the system as well as what the system expects from the victim.
 4. The stages in the criminal or juvenile justice process which are significant to the crime victim and the manner in which information about such stages can be obtained.
 5. The right of the victim who is not incarcerated to be informed, present and heard when relevant, at all crucial stages of the criminal justice or juvenile proceedings and parole proceedings.

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6. The rights of victims to be informed, to be present and to be heard, orally or in writing when relevant, at all crucial stages of a criminal or juvenile proceeding, to the extent that this right does not interfere with the Constitutional rights of the accused.
7. The right of the incarcerated victim to be informed, and to submit a written statement at all crucial stages of the criminal justice or juvenile proceedings and parole proceedings.
8. The right of the victim to have prompt and timely disposition of the case.
9. The right to request and receive restitution and the right to receive information on how to enforce the court's order.
10. The beneficiary receiving assistance will be notified verbally and in writing (on brochures or postings) how to file a complaint alleging any form of discrimination thru the State Administering Agency or the OCR. The verbiage to be used when making the notification is as follows:

"In accordance with federal law and the U.S. Department of Justice policy, this organization is prohibited from discriminating on the basis of race, color, national origin, religion, sex, age, or disability.

To file a complaint of discrimination, contact or write Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW. Washington, DC 20531 or call 202-307-0690 (Voice) or 202-307-2027 (TDD/TDY). Individuals who are hearing impaired or have speech disabilities may also contact OCR through the Federal Relay Service at 800-877-8339 (TTY), 877-877-8982 (Speech), or 800-845-6136 (Spanish). Or contact the Department of Legal Affairs, PL-01 The Capitol, Tallahassee, Florida, 32399, or call 850-414-3300."

802.2 Information for Purposes of Notifying Victim or Appropriate Next of Kin of Victim or Other Designated Contact of Victim [960.001\(1\)\(b\)\(1-5\) FSS](#)

A. Notification Card - In the case of a homicide, sexual offense, attempted murder, stalking or domestic violence the arresting officer will request the victim, appropriate next of kin, or designated contact to complete a Notification Card. The notification card **must** be filed with the incident report or warrant and provided to the Sheriff's Office of the jurisdiction in which the warrant originated unless the victim, appropriate next of kin or designated contact chooses not to complete the card. Any relevant identification or case numbers assigned to the case will also be included.

B. Use of Card - Unless otherwise requested by the victim, appropriate next of kin or designated contact the Brevard County jail or detention facility will

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forward the Notifications card to the subsequent correctional or residential facility following sentencing and incarceration. This information will be used in the notification of the victim upon the defendant's release from incarceration. If the defendant was arrested or taken into custody in the City of Palm Bay, the county jail facility or detention facility will notify the Department of the warrant or take into custody order, unless waived by the victim, appropriate next of kin or designated contact.

802.3 Notification of Availability of Protection - Officers will provide victims or witnesses with information and assistance, allowed by law and departmental policy, on protection available to them regarding intimidation. Victims of domestic violence will also be provided information regarding the address confidentiality program administered in the state of Florida. [<960.001\(1\)\(c\) FSS>](#)

802.4 Notification of Scheduling Changes - The Office of the State Attorney will have responsibility for this notification requirement unless it involves a photographic line-up or interview by law enforcement. [<960.001\(1\)\(d\) FSS>](#)

802.5 Prompt Notification to Victim of Crime [<960.001\(1\)\(e\)\(1-3\) FSS>](#)

A. Victim Notification - When a suspect has been arrested without a capias on the basis of a complaint filed with this Department, the **arresting officer will promptly notify the victim**, or relative of a minor who is the victim, or relative of a homicide victim, of such arrest. Such notification will be given by oral or written communication at the address found in the police report, or other criminal report, or at a more current address if such had been provided to arresting agency.

B. BCSO Responsibility - The Brevard County Sheriff's Office will give notification to victims of capias or warrant arrests. The victim will be notified in advance of release of the defendant from the county jail facility upon expiration of sentence. This notification will be made by phone or mail by the Sheriff's Office if the current victims address and phone numbers are available.

C. SAO Responsibility - The State Attorney's Office will have the responsibility of notifying the victim of any prosecution or petition proceedings.

802.6 Information Concerning Release from Incarceration - Brevard County Sheriff's Office and/or Correctional Facilities [<960.001\(1\)\(f\) and 944.605\(1\) FSS>](#)

A. Release from Incarceration - Upon the request of the victim, appropriate next of kin, or other designated contact, it will be the policy of the county jail facility, juvenile detention or a residential commitment facility, in cases of

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homicide, sexual offenses, attempted murder, stalking or domestic violence, to make a reasonable attempt at notification prior to defendant/offender release from that facility. If the reasonable attempt is unsuccessful prior to release, a reasonable attempt should be made within four hours after release. If the defendant/offender is released following sentencing, disposition or furlough this same attempt to contact will be followed. If unable to reach by telephone it will be accomplished by written notification.

- B. DOC Responsibility** - The victim will be notified by the Department of Corrections regarding any release of the accused into community control or community work release.

802.7 Consultation with Victim or Guardian or Family of Victim - The State Attorney's Office will have the consultation responsibilities of this section. The Palm Bay Police Department will distribute the informational brochure, as reviewed in Section 802.1 of this Policy, which will outline these rights.

802.8 Return of Property

- A. Victim's Property** - When a victim's property is being held for evidence, the officer who has the responsibility for follow up investigation will promptly return such property to the victim as soon as is practicable, unless there is a compelling law enforcement reason for retaining it.
- B. Stolen/Recovered/Return** - Stolen and recovered property will be photographed and returned to the victim as soon as is practicable. The photograph and the affidavit will be submitted to the Property & Evidence Section as evidence. The photograph should be properly labeled pursuant to 90.91, Florida State Statute.

802.9 Notification to Employer

- A. Investigation Assistance Excuse from Work** - When a victim assists any sworn employee in any investigation, the investigating officer will notify the victim's employer or school by phone or letter of the victim's absence from work or school when the victim requests such notification.
- B. Victim's Creditors**- Victims often suffer financial hardship as a result of their victimization. If any victim suffers serious financial strain as the direct result of a crime, the investigating officer or the state attorney will contact the victim's creditors to verify that the serious financial strain the victim is experiencing is a direct result of the crime. Contact of creditors will be made only at the victim's request, and only if assistance is warranted.

802.10 Notification of Right to Request Restitution

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A. Inform on Restitution - The investigating officer will notify the victim of his or her right to receive restitution, pursuant to 775.089, Florida State Statute, and the right to enforcement of such restitution order under 775.089(5), Florida State Statute, in the event the offender fails to comply with such restitution order.

B. SAO Assistance - The State Attorney's Office will automatically send information regarding restitution through a statement and form to the victim at filing stage and will assist victim in documentation of losses.

802.11 Notification of Right to Submit Victim Impact Statement - The State Attorney's Office will have the notification responsibilities of this section.

802.12 Local Witness Coordinating Office - The State Attorney's Office will have the responsibilities under this section.

802.13 Victim Assistance Educations and Training - Training is offered at the Law Enforcement Academy and by the State Attorney as in-service training's to staff of the State Attorney's Office and all Brevard County law enforcement upon request by any agency.

802.14 General Victim Assistance - Victims and witnesses will be provided all other assistance by law enforcement and the State Attorney's Office as is practicable. These services may include: translator services, transportation, separate waiting rooms

802.15 Victim's Rights Information Card or Brochure - The State Attorney's Office will provide to law enforcement an information card to be given to all victims of crime, which contains essential information concerning their rights and available services.

802.16 Information Concerning Escape - The County Jail Facility, Detention Facility or residential Commitment Facility will notify the State Attorney's Office and the Judge who imposed the sentence, upon the escape of an inmate from any of the above facilities. Upon the subsequent capture of the escaped offender the State Attorney's Office and the judge who imposed the sentence will be contacted by the Institution of Confinement. The stated law enforcement agency will render assistance upon request of the State Attorney's Office.

802.17 Presence of Victim Advocate during Discovery Deposition and/or Testimony of Victim of Sexual Offense - The State Attorney's Office will have responsibility for providing this service to the victim; however, information regarding these rights is contained in the brochure provided to crime victims.

802.18 Crime Prevention Efforts - The Department will make every effort, through its various crime prevention programs, and strategic and tactical planning

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operations implemented by the investigative and enforcement components of the Department to attack crime before it occurs

802.19 Attendance for Victim at Same School as Defendant - The victim will be given this information through the informational brochure as stated in 802.2 (A). The State Attorney's Office, Department of Corrections and Department of Juvenile Justice will advise the victim on the right to request the offender attend a different school.

802.20 Victims (not incarcerated) not required to attend Depositions at any Correctional Facility - The State Attorney will have responsibility for this section.

802.21 Standing for the Victim and State Attorney - The victim of a crime and the state attorney, with the consent of the victim, have standing to assert the lawful rights of crime victims. The State Attorney's Office will have the responsibility for providing this information in the law enforcement handout and assist victims.

802.22 Information gained by Victim regarding Juvenile Defendant - All law enforcement officers will advise victims of juvenile crime that information gained regarding any case handled in juvenile court, must not be revealed to any outside party, except as reasonably necessary in pursuit of legal remedies.

802.23 Information Regarding HIV Testing for Crime Victim - All law enforcement officers will advise victims at the earliest possible opportunity of this right through the informational brochure and verbal communication. The State Attorney's Office will work with the victim immediately to obtain a court order for the testing of the defendant.

802.24 Prohibiting Victim Information to the Public - The victim, in specific crimes, may request an exemption prohibiting the disclosure of information to the public which reveals the victim's name, home and work telephone numbers, home and work addresses, and personal assets not otherwise held confidential under the Public Records Law. This information will be provided to the victim through the informational brochure as reviewed in 802.2(A) and through training of the law enforcement officers on this right. [<119.071\(3\)\(f\) FSS>](#)

802.25 Victim Exclusion from Court Proceedings of Procedures - The State Attorney will have responsibility for this section. [<90.616\(2\)\(d\) FSS>](#)

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Sexual Offender and Predator Management	Order No: 803	
Rescinds: GO 803 Revised: 04/15/15	CFA 5th: 15.16, 15.17	Revised: 06/27/16
Reference: 775, 943, 944 FS, Title XIII, Chapter 134, City of Palm Bay Code of Ordinances		

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803.10	<u>Liaison with Other Agencies</u>

803 Policy - The Agency will monitor and track sexual offenders and predators, notify the community on the status and locations of sexual offenders and predators that reside within Palm Bay, and enforce the laws regarding sexual offender and predator registration. This procedure applies to all members and volunteers involved in Sexual Offender Management.

803.1 Definitions

- A. Absconded** - Fled from The Florida Department of Corrections supervision or control, no longer resides at the last reported address given to the Florida Sexual Offender Registry, or otherwise not in compliance with the sexual offender or predator laws of the State of Florida.
- B. Offender** - A sexual offender or sexual predator as determined by the courts.
- C. Sexual Offender** - A person who meets the criteria of sexual offender as specified in [FSS 943.0435](#).

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- D. Sexual Predator** - A person who meets the criteria of sexual predator as specified in [FSS 775.21](#).
- E. SOMO** - Palm Bay Police Department Sexual Offender Management is the responsibility of the Special Victims Unit Sergeant.

803.2 Program Considerations

- A. Public Protection** - The Legislature of the State of Florida and the City Council of the City of Palm Bay have declared that sexual offenders and predators often pose a high risk of recidivism in sexual offenses, even after being released from incarceration or commitment, and that protection of the public from sexual offenders is a paramount government interest.
- B. Release of Information** - Sexual offenders and predators have a reduced expectation of privacy due to the public's interest in personal safety. Therefore, the releasing of information concerning sexual offenders will further the interests of public safety.
- C. Offenders** - Officers are expected to monitor the offenders in their districts, to check and ensure that offenders are abiding by their conditions, and to arrest or file charges on offenders who are in violation. Questions should be directed to the SOMO.
- D.** The SOMO will manage the verification process within the department. Special Victims Unit Detectives will have the primary responsibility for conducting address verifications and documenting violations. Verifications may be assigned to other USD or Special Operations Division personnel.
- E.** The addresses of all registered Sexual Offenders shall be verified bi-annually and sexual predators shall be verified quarterly, as set by the Offender Watch system. BCSO SORT will also verify predators quarterly, which may alter their verification dates.
- F.** Offenders who move into or relocate within Palm Bay and/or Brevard County are required by state law to register in accordance with Section FSS 943.0435 or FSS 775.21.
- G.** As soon as practicable after it receiving notification that an Offender has registered at an address within the City, the SOMO must assign a Special Victims Unit Detective, or other officer, to visit the Offender at the registered address to verify the address. Verification must consist of an officer checking the offender's driver's license or Florida Identification Card at the registered address, making sure that Offender does in fact reside there and his DL or ID is current.

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803.3 General

- A. Offenders who request assistance from the Agency in registering will be given the following information by any member of this agency.
 - 1. The Brevard County Sheriff's Office is responsible for registration of Sexual Predators and Sexual Offenders.
 - 2. The location of the Brevard County Sheriff's Office Sex Offender Registration and Tracking Unit, (address is provided on the form in the front lobby).
 - 3. Members will provide the Offender with a ***Sexual Offender/Predator Registration Instruction Sheet*** which is located in the front lobby or DMS.
- B. Offenders requesting that an address be checked for suitability for residence must be referred to the SOMO.
 - 1. The responsibility to determine that a particular address does not violate Florida Statutes, County Ordinances, or City Ordinances, is the sole responsibility of the offender who is planning on residing at the address.
 - 2. There are no statutory requirements for law enforcement or municipalities to conduct address checks for verification they adhere to applicable laws.
 - 3. The SOMO may request the City of Palm Bay GIS conduct address checks when able and appropriate, as a courtesy to the offender.

803.4 Sex Offender Management Officer (SOMO) Duties

- A. Maintain databases for sex Offenders/Predators.
 - 1. HTE Sex Predator Database.
 - 2. Offender-Watch Sex Offender Database at BCSO.
 - 3. Florida Sex Offenders and Predators Database at FDLE.
- B. Have Enterprise GIS Division check address in the COMPASS program to verify that the Offender residence is not located within 1,000 feet of any school, park, daycare, home daycare, home school, or playground. This can be completed by email. GIS will send back an email with a map photo attached. Daycares are those licensed pursuant to [FSS 402](#).

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- C. Ensure that after the mapping is completed and the Offender is notified of the results.
- D. On new Offenders to the City, send address verification completion emails back to Brevard County SORT. This will initiate notifications to the public. When a notification flyer is received by the Agency, put the appropriate DR number on it and submit to Records. This will show that the mailings have gone out.
- E. Email any new or closed daycares or schools to the GIS division. The Department of Children and Families provides updated lists periodically.
- F. If an Offender has moved into residence, and the address is not approved, they will have to move.
- G. If an Offender is on "Conditional - Release" [FSS 947.141](#), there may be an additional prohibition of residing within 100 feet of a school bus stop. The Offender will have to work with his/her probation officer to select a suitable residence.
- H. Assign verification checks based on schedule from Offender-Watch.
- I. Review initial reports for Offenders and arrest warrants submitted for violators.
- J. Be familiar with Florida State Statutes, Brevard County Ordinance, and City Ordinance related to Sex Offenders.
- K. Respond to requests from the Brevard Sheriff's Office SORT.

803.5 New Address Verifications (DR required)

- A. After GIS has verified that the Offender's residence is not located within 1,000 feet of any school, park, daycare, home daycare, home school, or playground, a Special Victims Unit Detective or an assigned officer should complete the following:
 - 1. Make contact with the Offender and verify the address and ensure that the Florida State Statute is updated on the bottom of the Offenders Florida Driver's License or Identification Card. Upon any address change or release from custody they have 48 hours to obtain a Florida Driver's License or I.D. card and/or make applicable changes.
 - 2. If the Offender is **new** to the City, complete the [Sexual Offender and Predator Verification Report](#) and have them sign on the form that they have been given a copy of the following:

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- a. Sexual Predator/Offender Registration Instruction Sheet.
- b. Palm Bay City Ordinance 134.
- 3. Have the Communications Center stamp a DR and enter all the pertinent data about the Offender into the case report. This HTE report will serve as a master record. The DR number will be annotated in the Offender-Watch Database verifications section.
- 4. Forward the Sex Offender Verification Report to the SOMO for updates to the PBPd, Offender-Watch, and FDLE databases. After updates, the form is sent to Records.
- B. Determine whether the offender's status is offender or predator.
- C. If the Offender is on probation, establish any restrictions or conditions.

803.6 Bi-Annual and Change of Address Verifications (Not an Initial)

- A. **Change of Address Verifications** - Have Enterprise GIS Division check address in the COMPASS program to verify that the Offender's new residence is not located within 1,000 feet of any school, park, daycare, home daycare, home school, or playground.
- B. Make contact with Offender and verify that the address listed is in fact the Offender's permanent or temporary address listed. Verify Driver License or ID card.
- C. The verification must be in person at the address at which the Offender is registered and should be unannounced.
- D. A CFS will be stamped and notation made that the Offender is in compliance. The CFS number will be provided to the SOMO so that it can be annotated in the databases. If the Offender is **NOT** in compliance a DR must be initiated for subsequent charges.
- E. If an officer is unable to verify an Offender's address, he or she will enter explanatory information into the CFS. If, after repeated attempts, the Offender cannot be verified, the SOMO will be notified.
- F. If an officer determines that the Offender is not living at the address on file, he or she must attempt to obtain a sworn statement from a resident at that address that the Offender does not live there, the estimated time since the Offender terminated residency, the length of time the Offender resided at that address, and the current location of the Offender, if the witness knows.

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Witnesses will be cautioned that it is a criminal offense to conceal the whereabouts of a Sexual Offender or Predator, or to assist an Offender or Predator in avoiding the registration laws.

803.7 Absconders & Violators - When an Offender has absconded or committed any other violation of registration or release, the SOMO should take the following steps:

- A. Have a Special Victims Unit Detective or other officer compile the probable cause and obtain an arrest warrant or make a probable cause arrest.
- B. Notify the FDLE and BCSO Sexual Offender Management Units.
- C. Notify the Offender's probation or community control officer, if the Offender is on supervision, probation, or community control, and assist in any prosecution for violation of probation or community control.
- D. Provide investigative information to the Special Victims Unit on absconders that have not been located or arrested for follow up investigation by that Unit.
- E. Forward any known investigative information or leads, which the SOMO becomes aware of, to law enforcement agencies regarding the location of a known absconder.
- F. Support any prosecution initiated against an absconder with the appropriate law enforcement or prosecutorial agency.

803.8 Offenders Leaving Palm Bay - When the Agency receives notification, or becomes aware through investigation, that a registered Offender has left Palm Bay or registered an address in a different jurisdiction, the SOMO shall document the change in the databases and make appropriate notifications.

803.9 Community Notification and Outreach

- A. BCSO ensures neighborhood notifications by mail of all sexual offenders and predators within Brevard County. Any notifications made by the Palm Bay Police Department are secondary notifications. When the Palm Bay Police Department makes a notification, the person making the notification must document date(s) and locations where notifications were made. When a sexual predator moves into the City, the following will occur:
 - 1. Whenever a person (who has been deemed by the courts a Sexual Predator) moves into the city, all licensed child care facilities, elementary schools, middle schools, and high schools within a 1-mile radius of the temporary or permanent residence of the sexual predator must be notified of the presence of the sexual predator.

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2. The notification will be completed by printing a flyer from the FDLE website which contains the predators address, physical information, and victim information.
 3. The VCOPs will make contact with the appropriate representatives for the locations listed in 1 above and provide the flyer.
 4. These notifications must be completed within 48 hours of the Agency's notification of the Sexual Predator establishing residence.
- B.** BCSO requests mailers for notification through Offender Watch (©WatchSystems LLC). Mailers for Predators: Usually 1000 feet from the Predator's residence, to include schools and daycares (within 1 mile). For Offenders: Usually 500 feet from the Offender's residence. When the Agency receives this mailed notification, it will be forwarded to the SOMO.
- C.** Special Victims Unit Detectives or assigned officers will meet with neighborhood groups, community organizations, other civic groups, periodically and when requested, and participate in public events to present the Sexual Offender Program to the community.
- D.** Special Victims Unit Detectives or assigned officers will meet with schools and licensed day care facilities periodically and when requested by a school or licensed day care facility to provide training on the FDLE sexual offender web site and the importance of the notification program.

803.10 Liaison with other agencies - The SOMO will maintain a relationship with the following agencies to ensure a free flow of accurate information regarding offenders:

- Brevard County Sheriff's Office SORT
- Florida Department of Law Enforcement
- Florida Department of Corrections (Probation/Parole)
- United States Marshals Service

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Ride-Along Program		Order No: 804
Rescinds: GO 804 Revised: 03/13/18	CFA 5th:	Revised: 07/10/18
Reference: Ride Along Form		
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804 Policy

The Agency provides a Ride-Along Program for civilians and potential employees in order to allow them greater insight into the police profession and the workings of this Agency. Understanding leads to positive relationships between the public and the police.

804.1 Procedures

A. Eligibility - Because of the sensitive nature of police work, for the safety of the officers involved, and for the security of the public at large, the ride-along applicant must meet certain eligibility criteria.

1. The individual must be at least 18 years old and have appropriate physical capability. The USD Commander may make exceptions for special school sponsored programs.
2. The individual must have no felony arrest history.
3. Individuals with misdemeanor arrest or traffic offense histories, or an extensive record as the complainant or subject of complaints must be approved at the discretion of the USD Commander.

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4. All individuals must have a current **Hold Harmless Agreement** on file. (**Exceptions:** City Manager, City Council Member and City Attorney).
 5. Individuals who meet the requirements to ride-a-long will do so based upon the need of the individual and at the discretion of the USD Commander, or designee.
 6. Visiting certified Law Enforcement Officers to include Federal, State, Local or Tribal officers or officers from outside of the U.S. may be given immediate approval to participate in the ride along program by the on-duty watch commander or his designee.
 7. Police officers, students at the Brevard County Criminal Justice Center, government employees VCOPS, and those persons meeting the exceptions clause in 804.1(A) 4 above are not restricted as to the number of times they may ride. Individuals participating in a bona fide educational or research project also may be unrestricted at the discretion of the USD Commander, or designee. In any event, students and researchers must have a **Hold Harmless Agreement** on file. (This includes School Resource Officer/Crime Watch Students)
- B. Explorers** - An Agency Explorer may participate with prior approval of the Advisor if his parent or legal guardian signs a Hold Harmless Agreement. The Police Explorer Advisor, in coordination with the USD Commander, or designee, will determine the number of times Police Explorers may ride.
1. **Ride-Along Explorer Limitations:**
 - a. Explorers less than 16 years of age are not authorized to participate in the Ride-Along Program.
 - b. Explorers will be permitted to ride up to eight hours. Explorers under 18 will not be permitted to ride from 12:00am to 6:00 am. Explorers 18 and older will be permitted to ride until 2:00am. (Briefing 6:00pm to 12:00am).
- C. VCOPS** – A Palm Bay Police Department VCOP who has a current hold harmless agreement on file may participate in the Ride-Along Program.
1. Ride-Along VCOP Limitations

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- a. VCOPS must have completed 16 volunteer hours during the previous calendar month. Approval memorandum must be provided at the time of the request.
- b. VCOPS are not permitted to conduct ride alongs that coincide with events or incidents the require VCOP participation.

D. Family Members - Family members will not be assigned to ride along with another family member. A family member is defined as a spouse, child, step child, father, mother, father-in-law, mother-in-law, brother-in-law, sister-in-law, brother, sister, grandparent, son-in-law, daughter-in-law, grandchildren, step mother, step father, and legal guardian. The individual must have a current Hold Harmless Agreement on file.

E. Denial from Participation - Documentation of unacceptable behavior or inappropriate attire during previous participation in the program will be grounds for denial of a request to ride along. Anyone who is denied participation will be sent the Certificate of Denial from the Ride-Along Coordinator. If the subject has questions regarding the denial, they may contact the USD Commander or designee.

804.2 Screening of Candidates

A. Each individual must submit a completed [Ride Along Request Form](#) before being permitted to ride. This request is stored in Laserfische. The USD secretary (Ride-Along Coordinator) will explain the rules of conduct and the dress code when the individual is contacted via email to schedule participation.

B. Data Sheet Forwarded - The USD secretary will forward the form to the listed Department units to conduct a background check of the individual, to include, but not limited to the following:

1. A check of Agency records including the Ride-Along Request file.
2. A full warrant and criminal history search through the Agency's FCIC/NCIC terminal. The request for criminal history will be designated as **criminal justice trainee background check**.
3. Screening is not required of civilian employees.

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4. All requests and Ride-Along Request Forms, accepted or rejected, will be maintained in Laserfische in accordance with retention rules and disposition of documents.
5. Hold Harmless Agreements will be in effect for one year from the date of request.

804.3 Assignment

- A. Notification** - The Uniform Services Division Secretary will notify individuals of their initial acceptance or rejection. This is done via email. If the person is accepted, they will receive an approval email which must be presented to the receiving officer along with a valid photographic identification. If they are denied participation, they will receive a denial email.
 1. If the subject cannot present the approval email (affixed with the Ride-Along Coordinators digital signature), the officer will not allow them to ride.
 2. If the member has a valid Certificate of Ride-Along; however, **does not have** a valid photographic identification card with them **and** they are not personally known by the officer, the subject will not be allowed to ride.
- B. Scheduling** - The Uniform Services Division Secretary will schedule individuals who have been accepted. The secretary will forward a copy of the request form to the Lieutenant of the shift to which the individuals is being assigned.
- C. Assignment** - Whenever possible, individuals will be assigned to a field training officer or a senior officer. Individuals should not normally ride with the shift supervisor. Individual ride along participants will not ride along with officers who are on probation.
- D. Ride-Along Tracking** - On completion of the ride, the officer will complete a tracking form and submit the form to his supervisor for signature. The supervisor will return the form via email (ridealong@pbfl.org) to the patrol secretary. The secretary will upload the form into the individual's Laserfische file.

804.4 Rules of Conduct and Dress

- A. Instructions** - The observer will follow all lawful instructions of any police officer during the ride-along.

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- B. Officer Discretion** - The assigned officer will have sole discretion to judge conditions and decide whether an observer will be discharged from the vehicle in a safe area away from the scene, ordered to remain in the vehicle or allowed to accompany the officer on any given assignment.

- C. Business Attire** - Civilian observers will dress in appropriate business attire, including comfortable trousers or slacks, comfortable shirt or blouse, comfortable shoes, etc. Jeans, shorts, cutoffs, sandals, and other inappropriate, casual clothing are prohibited.

- D. Explorers** - Class A short sleeve uniform with duty belt, no holster.

- E. VCOPS** - VCOP uniform

- F. Supervisor Authority** - Shift supervisors have the authority to deny/terminate an observer's participation. Justification for the termination must be submitted on the tracking form and forwarded to the USD Secretary. Upon receipt of the tracking form, the USD Secretary must forward a copy of the completed form with comments to the Deputy Chief, or designee.

804.5 Department Members Participating in the Program

- A. Agreement on File** - The member will have a Hold Harmless Agreement on file. The following is required:
 - 1. The member will coordinate his/her ride-along schedule with his immediate supervisor and the USD Secretary.
 - 2. Members should not ride more than twice per month, or as directed by the USD Commander, or designee.
 - 3. The member has the option of wearing his/her issued uniform or following the dress code specified in this directive.
 - 4. Communications Section Trainees may be scheduled more frequently than specified.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Hearing Impaired/Disabled Communications	Order No: 806	
Rescinds: None	CFA 4th:	Created: 08/01/12
Reference: <u>Americans with Disabilities Act</u> <u>ADA Service Animal Hand Out</u>		

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806.4	<u>Contact Situations and Reporting</u>
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806.6	<u>Training</u>

806 Policy - Individuals who suffer from deafness, hearing impairment, blindness, impaired vision, mental or other disabilities may encounter difficulties in gaining meaningful access to, or an understanding of important rights, obligations, and services. In accordance with the Americans with Disabilities Act (ADA), it is therefore the Palm Bay Police Department's policy to take all reasonable steps to accommodate those individuals in any law or code enforcement contact. In an effort to achieve this task, the City of Palm Bay has an ADA Coordinator.

806.1 Factors to Consider

- A.** Because the nature of any law or code enforcement contact may vary substantially from one situation to the next, members will consider all information reasonably available to them at the time of contact when determining how to communicate with an individual suffering from any disability. These factors may include, but are not limited to:
 - 1.** The extent to which a disability is obvious or otherwise made known to the involved member. Impaired or disabled individuals may be reluctant to acknowledge their condition and may even feign a complete understanding of a communication despite actual confusion.

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2. The nature of the disability (e.g., total deafness or blindness vs. impairment).
3. The nature of the law or code enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact, etc.).
4. Availability of resources to aid in communication.

B. Meaningful Access - When considering the above factors and other available information to the member at the time of contact, the involved member should carefully balance all factors in an effort to reasonably ensure meaningful access by individuals suffering from apparent disabilities to critical services while not imposing undue burdens on the Agency or its members.

806.2 Initial and Immediate Considerations - Recognizing that various law enforcement encounters may be volatile and/or emotionally charged, members should remain alert to the possibility of communication problems and exercise special care in the use of all gestures and verbal/written communication in an effort to minimize initial confusion and misunderstanding when dealing with any person with known or suspected disabilities or communication impairments.

806.3 Types of Assistance Available

A. Communication Assistance - Depending on the balance of factors available for consideration at the time, this department will make every reasonable effort to provide meaningful and timely assistance to disabled individuals through a variety of services, where available.

1. Disabled individuals may elect to accept such assistance at no cost; choose to provide their own communication services at their own expense or any combination thereof.
2. In any situation, the individual's expressed choice of communication method will be given primary consideration and honored unless the member can adequately demonstrate that another effective method of communication exists under the circumstances.
3. Special considerations need to be made when dealing with a hearing impaired person if they are the subject of a code or criminal investigation.
4. Members may also read a Department form or document aloud to a visually impaired individual or utilize a photocopier to enlarge printed forms.

B. Report Considerations - Members will document the type of communication utilized in any related report and/or CFS and whether a disabled or impaired individual elected to use services by the Department or some other identified

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source. Agency provided resources may include, but are not limited to the following:

1. Members are encouraged to utilize resources immediately available to them in any contact with a known or suspected disabled or impaired person. Examples of this would include simple methods as:
 - a. Hand gestures or written communications exchanged between the member and a deaf or hearing impaired individual.
 - b. Facing an individual utilizing lip reading and speaking slowly and clearly.
 - c. Slowly and clearly speaking or reading simple terms to any visually or mentally impaired individual.
2. If communication cannot be done via the above methods, the member may contact the Communications Center and obtain information on relay services available.

C. TTY and Relay Services - Individuals who are deaf or hearing impaired must be given the opportunity to use available text telephones (TTY or TDD). All calls placed by such individuals through these services will be accepted by this Agency.

D. Family and Friends of Disabled or Impaired Individual - While family and friends of a disabled or impaired individual may frequently offer to assist with interpretation; members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in an emergency or critical situation. Further, the nature of the contact and relationship between the disabled individual and the individual offering services must be carefully considered (e.g., victim/suspect). Also, officer safety should be taken into consideration.

806.4 Contact Situations and Reporting - Members who use any form of communication assistance while speaking with a hearing impaired or deaf person will notate that information (to include the name of the person performing the interpretation) in the CFS and/or written report if required by [OMA 502](#).

A. Custodial Interviews and Booking Procedures - In an effort to ensure the rights of all disabled and impaired persons are protected during any custodial situation, members will ensure that they provide every reasonable communication assistance depending on the encounter (i.e., violent, non-violent, emergency situation, etc.).

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B. Members will be cognizant of the inherent communication impediments to gathering information from disabled or impaired individuals in any situation that the person is within the control of the member.

1. Persons who require communication aids (e.g., hearing aids) or those who need objects to move (i.e., wheel chair, crutches, etc.) should be permitted to retain those devices while in custody provided they do not present an undue risk to the member or the person.
2. If the member reasonably believes that there is an inherent officer safety risk or risk of the person harming themselves will be required to make other reasonable accommodations to assist them with any necessary services.
3. Whenever a deaf or hearing impaired person is detained or arrested and placed in handcuffs, the member (with the approval of a sworn supervisor), may place the handcuffs in front of their body to allow the individual to sign or write notes.

C. Field Enforcement and Investigations - Each member must assess each situation to determine the need and availability for communication assistance to any and all disabled or impaired individuals. It is imperative that members are able to effectively communicate the reason for any contact, the need for information and the meaning or consequences of any enforcement action taken with a disabled or impaired individual.

806.5 Service Animals - Defined by the US Department of Justice as “Animals that are individually trained to perform tasks for people with disabilities, i.e. guiding blind or sight impaired persons, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks.”

A. The Americans with Disabilities Act requires businesses and organizations that serve the public allow persons with disabilities the ability to bring their service animals into all areas of the facility where customers are normally allowed to go. This federal law is applicable to all businesses open to the public, including restaurants, hotels, taxis and shuttles, grocery and department stores, hospitals and medical offices, theatres, health clubs, parks, and zoos.

1. Businesses may ask if an animal is a service animal or ask what tasks the animal has been trained to perform, but cannot require special ID cards for the animal or ask about the person’s disability.
2. Persons with disabilities who use service animals cannot be charged extra fees, isolated from other patrons, or treated less favorably than other

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patrons. However, a business may charge the customer with a disability for damages cause by the service animal **only** if they normally charge other patrons. If a fee is normally charged for a pet deposit, the business is required to waive that fee.

3. A person with a disability cannot be asked to remove his service animal from the business unless:
 - a. The animal is out of control and the animal's owner does not take effective action to control it (i.e., dog barks repeatedly during a movie).
 - b. The animal poses a direct threat to the health or safety of others.
4. If the animal is removed lawfully as described in 3 above, the business is required to give the person with the disability the option to obtain goods and services without having the animal on the premises.
5. Businesses that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the grounds.
6. A business is not required to provide care or food for a service animal or provide a special location for it to relieve itself.
7. Allergies and fear of animals are not valid reasons for denying access or refusing service to people with service animals.
- B. Any person, firm, or corporation, or the agent of any person, firm, or corporation, who denies or interferes with admittance to, or enjoyment of, a public accommodation or otherwise interferes with the rights of an individual with a disability or the trainer of a service animal while engaged in the training of such an animal commits a misdemeanor of the second degree. [FSS 413.08](#)

806.6 Training - In an effort to ensure that all members having contact with the public are properly trained, there will be annual training provided in the following areas:

- A. Member awareness of related policies, procedures, forms and available resources.
- B. Members having contact with the public will be trained to work effectively with in-person and telephone interpreters and related equipment.

<u>PALM BAY POLICE DEPARTMENT GENERAL ORDER</u>		
Subject: Limited English Proficiency Services	Order No: 807	
Rescinds: None	CFA 4th:	Created: 08/01/12
Reference: <u>Civil Rights Act of 1964 United States Code 2000d</u>		

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807.5	<u>Monitoring and Updating Language Assistance Efforts</u>

807 Policy - Language barriers can inhibit or even prohibit individuals with limited English proficiency from gaining meaningful access to, or an understanding of important rights, obligations, and services. It is the policy of the Palm Bay Police Department to take all reasonable steps to ensure timely and equal access to all individuals, regardless of national origin or primary language.

807.1 Definitions

A. Limited English Proficient (LEP) - Designates individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand this language. LEP persons may be able to understand some forms of communication but lacking in others.

B. Interpretation - The act of listening to a communication in one language and orally converting it to another language while ensuring it has the intended message.

C. Translation - The replacement of written text from one language to another in equivalent written text.

807.2 Four Factor Analysis

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- A. The use of the US Department of Justice LEP *Guidance to Federal Financial Assistance Recipients* is used in determining which measures will provide reasonable and meaningful access to various rights, obligations, services, and programs to all. The nature of law and code enforcement contacts varies, but is based on the following four factors:
 - 1. The number or proportion of LEP persons eligible to be served or encountered by members or who may benefit from programs or services within the Department's jurisdiction.
 - 2. The frequency with which LEP individuals are likely to come into contact with members, programs, or services.
 - 3. The nature and importance of the contact, program, information, or service provided.
 - 4. The cost of providing LEP assistance and the resources available.
- B. While the Palm Bay Police Department will not discriminate against or deny any person access to services, rights, or programs based upon national origin or any other protected interest or right, the above analysis will be used to determine the availability and level of assistance the agency can provide to any LEP group.
- C. **Identification of LEP Individual's Language** - All reasonably available tools will be used in determining an LEP person's primary language in an effort to communicate.

807.3 Types of LEP Assistance Available - Depending on the balance of factors available for consideration at the time, this department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services, where available. LEP individuals may elect to accept such assistance at no cost; choose to provide their own interpreter services at their own expense or any combination thereof. Members will document in either the CFS or written report (if required by [OMA 502](#)) who provided the translation if applicable.

- A. **Written Forms and Guidelines** - Certain forms will be translated into languages most likely to be used. These forms will be located in DMS.
- B. **Telephone Interpreter Services** - All phone translation services are conducted through the language line which is accessible via Communications.
- C. **Family and Friends of LEP Individuals** - While family and friends of a LEP individual may frequently offer to assist with interpretation; members should

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carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in an emergency or critical situation. Further, the nature of the contact and relationship between the LEP individual and the individual offering services must be carefully considered (e.g., victim/suspect). Also, officer safety should be taken into consideration. For further information, refer to Section V (3) of the USDOJ [Guidance to Federal Financial Assistance Recipients](#).

807.4 Contact Situations and Reporting - Members who use any form of communication assistance while speaking with a LEP person will notate that information (to include the name of the person performing the interpretation) in the CFS and/or written report if required by [OMA 502](#).

- A. Custodial Interviews and Booking Procedures** - In an effort to ensure the rights of all LEP persons are protected during any custodial situation, members will ensure that they provide every reasonable communication assistance depending on the encounter (i.e., violent, non-violent, emergency situation, etc.).
- B.** Members will be cognizant of the inherent communication impediments to gathering information from LEP individuals in any situation that the person is within the control of the member.
- C. Field Enforcement and Investigations** - Each member must assess each situation to determine the need and availability for communication assistance to any and all disabled or impaired individuals. It is imperative that members are able to effectively communicate the reason for any contact, the need for information and the meaning or consequences of any enforcement action taken with a disabled or impaired individual.
- D. Member Complaints** - All LEP persons who wish to file a complaint against a member may do so by either receiving interpretation assistance or the use of forms translated into their language (if already completed). The Agency will make every reasonable effort to communicate its response in an accessible manner.

807.5 Monitoring and Updating Language Assistance Efforts - The Chief of Police or designee will appoint an LEP Coordinator who is responsible for coordinating and implementing all aspects of services provided to LEP individuals.

- A.** The LEP Coordinator will assess demographic data, review contracted language access services, utilization of data, and consult with community-based organizations annually in order to determine if there are additional languages forms should be translated.

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- B. The LEP Coordinator will be responsible for annually reviewing all new documents issued via DMS to assess whether they should be considered for translation.

<u>PALM BAY POLICE DEPARTMENT OPERATING MANUAL</u>		
Subject: Victim Services Unit	OM No: A802	
Rescinds: OMA802 Revised: 07/14/15	CFA 5th:	Revised: 10/03/17
Reference: GO 802		

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802 Purpose

To establish Victim Services Unit procedures governing follow-up services for crime victims. Not all procedures may be applicable in every case. This procedure and Victim's Rights and Services [General Order 802](#) will apply to victim advocates, both paid and volunteer, who are called upon to perform any activity dealing with these types of duties.

802.1 Procedures - Personnel assigned to conduct follow-up services involving victims will adhere to the following procedures when appropriate:

- A. Availability** - The Victim Services Unit, (VSU), is available 7 days a week 24 hours a day. A schedule of current on-call personnel is maintained in the PBPD Communications Center.
- B. Call-Out** - Upon the initial investigation of the domestic violence call by the officer and determination of the need for a VSU advocate, the Officer will have dispatch call the on-call VSU advocate. If the on-call VSU advocate does not respond within 5 minutes, a second call will be made. If no response within 5 minutes, the designated back-up will be contacted to respond. If they cannot respond, the VSU Manager will be notified.
- C. Evaluation** - VSU advocate contacts the victim via telephone and evaluates the victim's immediate needs. The VSU advocate will ask the victim if they prefer to meet face to face. If the victim indicates that a face-to-face interaction is preferred, the VSU advocate will respond to the location of the victim. If an arrest has been made and the scene has been stabilized, an

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officer does not need to be present. In the event that a suspect is unable to be located and/or the scene is not secure, an officer will stand-by during the intervention.

D. Interview - If the victim prefers not to meet in person, the intervention will take place via the telephone.

E. Safety of Victim - The VSU advocate will assess the safety of the victim, (and their children). They will inform the victim of their rights and available assistance depending on their individual circumstances. They will provide all necessary referrals to meet the immediate needs of the victim. They will review safety planning.

F. Transportation - If it is necessary for the victim, (and their children), to access shelter, transportation can be provided by the VSU advocate.

G. Inform Victim - Upon conclusion of the interaction, the VSU advocate will make sure that the victim understands the sequence of events to follow whether a capias was filed or an arrest was made. They will explain all documentation provided to the victim by the officer. They will provide the victim with their contact information and the number of the VSU office where (in the absence of an initial face-to-face meeting) follow-up can be done and any additional services or assistance may be given.

1. The beneficiary receiving assistance will be notified verbally and in writing (on brochures or postings) how to file a complaint alleging any form of discrimination thru the State Administering Agency or the OCR. The verbiage to be used when making the notification is as follows:

“In accordance with federal law and the U.S. Department of Justice policy, this organization is prohibited from discriminating on the basis of race, color, national origin, religion, sex, age, or disability.

To file a complaint of discrimination, contact or write Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW. Washington, DC 20531 or call 202-307-0690 (Voice) or 202-307-2027 (TDD/TDY). Individuals who are hearing impaired or have speech disabilities may also contact OCR through the Federal Relay Service at 800-877-8339 (TTY), 877-877-8982 (Speech), or 800-845-6136 (Spanish). Or contact the Department of Legal Affairs, PL-01 The Capitol, Tallahassee, Florida, 32399, or call 850-414-3300.”

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H. Complete Paperwork - The VSU advocate will complete all necessary paperwork related to the services provided and statistical information. This initial contact paperwork will be passed to office staff for necessary follow-up.

I. Report to Office - The VSU advocate will call the office and leave a message of all calls taken on their shift and of any necessary follow-up or transports.

J. Follow-Up - The VSU staff will facilitate follow-up photos and supplementary reports as necessary.

802.2 Responsibilities - Personnel assigned to VSU will comply with all applicable directives relating to their job function. These include, but are not limited to, vehicle and equipment use, conduct, leave requests, and sick time usage.

A. Community Services Section Manager - The manager is responsible for the efficiency, effectiveness, partial grant funding, and reporting of the VSU. Additionally, the manager performs the following tasks:

1. Supervise VSU personnel, including paid full-time advocates and volunteers.
2. Provide scheduling; leave requests, evaluations, and other tasks managing the personnel assigned to VSU.
3. Provides training to VSU personnel.
4. Completes grants for funding of the VSU and seeks additional funding through other sources.
5. Attends meetings and functions relevant to the VSU function.
6. Produces a monthly statistical grant report for the Budget Officer.
7. Works cases as needed.
8. Liaisons with the State Attorney's Office, Investigations Division Detective assigned to follow-up investigation of related cases, and other Social Service Agencies. The manager will participate in meetings and workshops pertinent to VSU function.
9. The manager is on-call or otherwise available to VSU personnel for assistance with cases.

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10. Conducts monthly meetings with VSU personnel to discuss issues, recidivism reduction, public information efforts, and other topics.

11. Actively recruits and trains volunteers in accordance with grant funding.

B. Victim Advocates - The advocates are responsible for the immediate intervention of victims of violent personal crime or survivors directly related to victims of violent personal crime. Additionally, the advocates provide the following services:

1. Advocates are required to cover their on-call time, responding appropriately to assist victims/survivors beyond their regularly scheduled work time.
2. Conduct evaluations of victims/survivors to determine immediate intervention needs and solutions.
3. Assess safety factors of the victim/survivors and provide referrals as needed.
4. Provide transportation to shelters, court, or other places as required to assist the victim/survivors in attaining security and stability.
5. Keep the victims/survivors informed as to the sequence of events, courses of action, investigative status, and contact information of the advocate for the victim/survivor.
6. Conduct follow-up contact with victim/survivors, arrange for photographs if required, supplemental reports as necessary, and provide victims/survivors with further assistance as necessary.
7. Document all calls made or received relating to the assistance of victim/survivors.
8. Complete paperwork related to the services provided each victim/survivor on a daily basis. Advocates will provide statistical information monthly required to the Manager for grant reporting requirements.
9. Victim's Advocates are also utilized to respond/make contact with any person involved in a traumatic criminal event, in order to provide any assistance necessary to the person(s) involved.

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10. Monitor all calls for service on a routine basis and determine if a response/contact is necessary, regardless if requested. This is in an effort to provide proactive assistance (financial, family counseling, etc) before a situation turns into any violent act.

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Rescinds: OMB805 Revision 06/16/14	CFA 5th:	Revised: 04/13/15
Reference: Volunteer Programs GO 801		
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805 Purpose

- A.** The purpose of this procedural manual is to establish guidelines for the operation of the Department's Explorer Post. Police Explorers are chartered by the Boy Scouts of America. The Explorer Post will consist of young people between the ages of 14 through 21 who are of good character and have a desire to learn. It will be the Department's policy to expose these young people to the profession of law enforcement through selective police training and, at the same time, provide a positive influential force in their lives that will assist them in their growth and development as productive citizens.
- B.** This Operating Manual was created for the Palm Bay Explorer Post 597. All members of this Post are required to keep and maintain a copy of this manual. All Department members assisting with the program or utilizing Explorers for special functions or details will be familiar with these procedures

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and will be responsible to follow applicable provisions herein. The Explorer Staff and Explorer Advisor reserve the right to amend procedures within this Manual with prior written approval from the Chief of Police or designee.

805.1 DEFINITIONS

- A. Competitive Position** - A rank such as Sergeant or Lieutenant to which a member is appointed, through written examinations, oral interview, or both.
- B. Eligibility List** - List of qualified applicants compiled of those having successfully completed the examination process.
- C. Examination** - The process of testing, evaluation, or investigation into the qualification of the applicants for positions.
- D. Nondiscriminatory Process** - Components of the promotional process that have no adverse impact upon the selection or appointment of a member based on any race, gender, or ethnic group.
- E. Oral Interview** - A process of conducting a personal interview to determine job-related knowledge and the ability to demonstrate verbal skills.
- F. Oral Review Board** - An examination where a candidate spends time in the presence of a panel of selected members during oral interview. The members of the panel rate the candidate on the oral testing or interviewing of the candidate.
- G. Probationary Period** - A period of time provided to allow the post an opportunity to evaluate an explorer's performance and ability, also to decide whether or not the explorer is to be trained in a new position. A probationary period will be six months, unless changed by a senior advisor.
- H. Promotion** - Assignment of an explorer from one rank to a higher rank.
- I. Promotional Process Announcement** - Written announcement from the advisors, which will provide:
 - 1. A description of the position or job classification for which the vacancy exists.

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2. A schedule of dates, times, and locations of all elements of the promotional process.
3. A description of eligibility requirements.
4. A description of the process to be used in selecting cadets for the vacancy.

805.2 Post Objectives

- A. To develop good character, citizenship and a positive attitude toward law enforcement.
- B. To educate post members about the profession of law enforcement.
- C. To encourage members to participate in constructive activities while promoting the spirit of benevolence, community service, friendship and sociability.
- D. To provide an additional source of trained manpower for non-hazardous assignments which are closely supervised.

805.3 Explorer Training

- A. **Familiarization Training** - The Explorers are instructed by advisors and other officers that have knowledge in various topic areas. Explorers do not have any police powers. The training provided is for familiarization with police functions, only. Training topics will include, but not be limited to: traffic stops, traffic crash long form and short form, crime scene investigation, crisis intervention, burglary, bomb threats, first aid, CPR, search, arrest and traffic citations. These areas are important for those Explorers who participate in State Competition. They are to learn the basics of the subject matter. During State Competition, the Explorers will be graded by judges on their performance and knowledge on subject blocks of training. The Explorers will be competing against other Posts for recognition throughout the State of Florida.
- B. **Special Function Training** - Explorers will be provided the necessary training and/or instructions on the performance of special duties when utilized to assist in Department functions. All training will be documented and forwarded to the Department Training Section for records maintenance.
[<Explorer Training Checklist>](#)

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805.3 Explorer Assignment Latitude and Safety - Post Advisors or Agency employees will not assign Explorer duties that, in consideration of their restricted authority as juveniles and civilians, are obviously unsafe, dangerous or beyond their capabilities. Explorers will always perform their assigned duties in a safe and reasonable manner, always wary of the dangers from the human criminal element and other hazards in the service of public safety.

805.4 Explorer Utilization - General supervised Explorer assignments include:

- A. Community service projects such as: painting a house, beach clean-up, gift-wrapping, etc.
- B. Disaster assistance such as: comfort station (water & ice) distribution function.
- C. Law Enforcement Day preparation, participation and after activity assistance.

805.5 Post Advisors and Volunteers Responsibilities

- A. Post Advisors will provide Explorers with leadership, personal growth and educational guidance as needed under a structured and supervised program.
- B. Post Advisors will have the authority to overrule or veto, without exception, any plan, function, act or any other matter that may arise related to the utilization of Explorers. Only the Commander of the Support Services Division may override this authority.

C. General Rules

1. **Post Advisor** - The Post Advisor will be a certified police officer. The Post Advisor or Associate Advisor will attend all Post meetings and will be responsible for supervising all Post functions. All recommendations and requests from the Post will be submitted to the Post Advisor via the chain of command for approval.
2. **Associate Advisor** - The Associate Advisor can be any officer or civilian who will assist the Post Advisor in performing his/her duties. If the Associate Advisor is not a Department employee or law enforcement employee from another agency, he/she will be required to complete a background investigation before appointment.
3. **Post Advisor and Associate Advisors** - Responsible for providing reasonable safety and security measures for Explorers during all Post

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training activities, field trips, detail assignments and other Post sanctioned activities.

4. **Volunteers** - Must meet the requirements provided in Volunteer Programs [<GO 801>](#) before appointment, including the required background investigation.

805.6 Explorer Selection Procedure

- A. Young Adults 14 to 21 years of age and in good health.
- B. The Post Advisor will forward the applicant's personal information to the Agency Background Investigator for a background investigation. An individual must be able to successfully complete the background process before they are permitted to participate in the program. A successful background is one in which no adverse information has been obtained.
- C. Applicant must maintain a minimum GPA of 2.0 while enrolled in any academic program.
- D. Applicant must obtain all necessary notarized waivers from parent or legal guardian. [<Explorer Post Waiver Form>](#)

805.7 Duties and Responsibilities - All Explorer duties and responsibilities will be assigned by the Post Advisor. Explorer members will have a similar rank structure as the Agency's sworn rank structure.

A. Explorer Lieutenant

1. Will oversee all actions of the post.
2. Will perform any other duties as directed by Explorer Advisor.
3. Responsible for overseeing Sergeants.

B. Explorer Sergeant Operations

1. Will act as the Secretary of the Post.
2. Will keep all written records of the Post.
3. Will perform any other duties as directed by the Explorer Lieutenant or Explorer Advisor.

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C. Explorer Sergeant/Administrative

1. Will keep a report of personnel files of each post member.
2. Will make a monthly calendar for each month.
3. Will maintain all Explorer equipment in good working order.
4. Will maintain a record of all Explorer equipment.
5. Will perform any other duties as directed by the Lieutenant, or Explorer Advisor.

805.8 Chain of Command

- A. Explorers will report to their supervisor and follow the chain of command for any Post business.
- B. The following chain of command has been established to facilitate the decision-making process. The chain begins at 6 and moves upward.
 1. Chief of Police
 2. Support Services Division Commander
 3. Advisors
 4. Explorer Lieutenant
 5. Explorer Sergeants
 6. Explorer

805.9 Conduct

- A. Understanding the other person's point of view is extremely important. Therefore, understanding and good judgment are constantly required by members of the Post. All members will act with respect and courtesy at all times.
 1. **Approach** - Courtesy during citizen contact is most frequently expressed in the initial approach. Facial expressions, tone of voice and the manner in which one walks are all indicators of one's attitude of mind. Each

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Explorer will bear in mind that acts of discourtesy or offensive conduct reflects on all members and will result in disciplinary action.

2. **Attitude** - The attitude and conduct of all members must be in a positive manner. The uniform does not render the authority to act in a rude or sarcastic manner.

B. General Rules

1. All members and officers will make every reasonable effort to attend all membership meetings, social events and special events.
2. The loss or damage of any portion of equipment issued will be reported immediately to the Explorer Officer and/or Advisor with a memorandum specifying the circumstances.
3. Members of the Police Explorer Post will wear their uniform only when actively engaged in Post business, such as: meetings, activities and other sanctioned events. The uniform will be worn at all functions as a group, including meetings, unless otherwise designated. The Explorer will remain in full uniform until such time they can change from the entire uniform. An Explorer will not wear the uniform or any part of it outside any Explorer function unless specified by an Advisor.
4. All members are expected to make every reasonable effort to attend all training classes and will be held responsible for the information learned.
5. **Identification Card** - Each Explorer will be given an identification card from the Palm Bay Police Department bearing their name, affiliation and photograph. Upon leaving the Post, the member will immediately surrender the PBPD Identification card to a sworn police officer advisor. Members will keep the card on their person at all times and will display it if requested by an officer or person designated by law to request same. At no time will an Explorer display the card to secure special privileges or personal gain. Infractions of these articles will result in dismissal from the Post. A lost or misplaced card will require a \$5.00 replacement fee.
6. Dishonesty will not be tolerated. Any Explorer who is untruthful will be immediately dismissed from the Post. If on an activity, parents will be called and instructed to pick up their son or daughter regardless of location or time.

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7. While on or off duty, violation of any Federal or State law as well as county municipal ordinance may result in possible criminal charges and/or termination from the Post.
8. Unlawful, careless or negligent use of any weapon can result in possible criminal charges and termination from the Post.
9. Disorderly conduct may result in post discipline up to termination.
10. Using or being in possession of any drug (except by physician's direction), and/or alcoholic beverage or similar intoxicant while on duty in uniform or at a post activity will result in possible criminal charges and termination from the post.
11. Unauthorized use of, or willfully destroying Department or Post property may result in criminal charges and termination from the post.
12. Unauthorized dissemination or release of any information to the media, public or others concerning essential police matters may result in criminal charges and termination from the Post.
13. Any Explorer suspended from school, receiving an overall failing grade, participating in any demonstration or conducting themselves in a manner which is a poor reflection on the Post must come before the Advisor for a hearing and may be subject to dismissal from the Post. The former Explorer can only be reinstated by coming before the Advisor with proof that the situation has been corrected. The final decision for reinstatement lies with the Advisor.
14. Truancy - any Explorer failing to attend classes without a valid excuse is truant, whether the Explorer is disciplined by the school or not, and will be disciplined as such.
15. Talking to Detectives - for the protection of our plain clothes detectives, no Explorer should approach or talk to a detective outside of our Police Department buildings and grounds, unless the detective acknowledges them first.

805.10 Discipline - Violations of the general guidelines or any violations of other official Agency or Post directives or orders may be grounds for initiating disciplinary procedures.

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- A. Disciplinary Action** - Depending on the severity of the violation involved and the Explorer's disciplinary record, such action could include but not be limited to:
1. Verbal reprimand
 2. Loss of privileges
 3. Written reprimand
 4. Suspension
 5. Lowering of rank/loss of position
 6. Termination from the post
- B.** Explorers will be promptly notified of any disciplinary action prior to the action being taken. Any disciplinary action taken will become part of that Explorer's personnel file.
- C.** Should an Explorer be terminated for disciplinary reasons, the Explorer will be notified in writing.

805.11 Promotional Procedures

- A. Promotional Procedures for Rank** - Rank is appointed at the discretion of the Post Advisor.
- B. Eligibility**
1. All Explorers with at least 12 continuous months with the post.
 2. Must have at least a 2.0 grade point average.
 3. Must exhibit professional conduct.
 4. Must possess leadership abilities.

805.12 Uniforms & Equipment

- A. Explorer Class-A Uniform**

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1. The Class A uniform will be issued to all members who have passed the background check, academic check and are a member of the Post in good standing for approximately three months.
2. Accountability of issued uniforms and equipment.
 - a. A personal inventory sheet will be kept by the Post Advisor for tracking and inventory.
 - b. Each member will sign for any piece of uniform, equipment or other apparel received or issued.

B. Unauthorized Equipment Penalty

1. Guns - Expulsion and possible criminal charges.
2. Knives (other than leather man tool) - Post discipline or expulsion and possible criminal charges.
3. Mace or pepper spray - Post discipline or expulsion.
4. Night stick/batons or PR24 - Post discipline.
5. Any other weapon not listed - Post discipline or expulsion and possible criminal charges.
6. Awards from other posts without prior approval of the Senior Advisor - Post discipline.

C. Uniform Regulations for Explorers - Listed below is the required regulation uniform for Explorers and the manner in which it will be worn:

1. All shirts, which are grey in color, will have an Explorer patch worn on the right sleeve, American flag on left sleeve and embroidered Police Explorer patch over left pocket.
2. Black dress pants.
3. The name plate will be worn centered immediately above the right pocket of the shirt. Only Post issued name tags will be worn.
4. Other pins, insignias or decorations/awards approved will be worn immediately above the name plate.

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5. All Explorers will wear collar brass as issued on their uniform. The collar brass states the word "Explorer".
6. An undershirt must be worn. If it is visible at the neck, then it must be black in color.
7. Black socks must be worn.
8. Plain-toed black shoes, boots, or agency-approved athletic type boot/shoes. Western style cowboy boots of any type are prohibited.
9. Explorer identification cards are to be carried at all times.
10. The uniform of the Explorer does not look like a Palm Bay Police Officer nor does any part of the uniform display "police officer".

D. Uniform Appearance Rules

1. Uniforms will be properly fitted, clean, neat, well pressed and in good repair.
2. Only Agency issued or approved uniform and equipment, in strict conformity with rules and regulations of this directive, will be worn.
3. Uniformed items will not be altered other than necessary to ensure proper fit.
4. Undergarments will not be worn in a visible manner except at the neck.
5. No mixture of civilian clothing with the official uniform will be permitted on or off duty.
6. Neither the uniform nor the parts will be worn by members of the post engaged in any activities to which they have not been officially detailed.
7. Authorized uniform accessories worn with the uniform will be kept cleaned and shined.
8. Shoes and leather goods will be kept clean and well polished.
9. The uniform may be worn while proceeding directly to and from functions.
10. Pants will be clean and tailored so that the bottom hems barely touch the top of the shoes.

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11. When the shirts are worn, jewelry, neck chains, or other neck jewelry will not be visible.
12. Sunglasses/glasses cords may be worn by Explorers if black or blue in color. Florescent colors are prohibited.
13. When not in uniform and at police headquarters, all Explorers will have ID displayed on outer clothing.

E. Ownership of Uniform and Equipment

1. The ownership of all uniforms and equipment issued to Post Explorers is vested in the City of Palm Bay.
2. All Explorers will be held strictly accountable for the proper care, use and maintenance of all issued articles of uniform and equipment.
3. No item of the uniform or equipment will be transferred or exchanged by Explorers without approval of an Advisor and only after written notification has been made to the Post's Property Advisor.
4. When an Explorer resigns, retires, is discharged, granted a leave of absence, or in any other way vacates his/her position, they will surrender any and all items of uniform and equipment within 15 days of vacating their position.
5. Any Explorer who loses misplaces or damages issued Department property will be responsible for the replacement of it when the loss or damage is due to their negligence.
6. Uniform items which become unsuitable for continued use due to normal use or size change may be replaced with the approval of a post Advisor.

805.13 Grooming & Jewelry

A. Male Explorers

1. **Hair styles** - Hair styles will be conservative and evenly trimmed. The hair will not be extended downward at any point over the shirt collar at the back of the neck and will not protrude in length more than a quarter inch over the top of the ears.

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2. **Sideburns** - Sideburns will be uniform from top to bottom, be neatly trimmed, will not exceed an inch in width, and not be excessively heavy or bushy.
3. **Facial hair** - Moustaches will be conventional type, be neatly trimmed, and not represent a bushy unkempt appearance. The moustache will not extend over the upper lip and not extend beyond or below the corners of the mouth. Beards and goatees are prohibited.

B. Female Explorers

1. **Hair styles** - All female Explorers will wear their hair neatly in styles that do not extend below the bottom of the collar in normal posture. Hair clasps, barrettes or fasteners worn while in uniform will correspond with hair color.

- C. **Personal Hygiene** - Attention to personal hygiene is a pre-requisite for all Explorers of the Post while on duty, in uniform or in official performance of their duties.

D. Jewelry

1. Wedding, engagement, fraternal, school and initial rings or rings of similar size and appearance will be the only ones authorized for Explorer functions. Excessive rings are prohibited.
2. The wearing of earrings is prohibited for all male explorers. The wearing of small unobtrusive earrings, (stud-style), by female Explorers is permitted.

805.14 Explorer Ride-Along Program - Explorers will be given the opportunity to participate in a ride along program. The ride along provides them with the opportunity to observe the officers as they work in the field. The ride along program is a privilege. Any Explorer who does not abide by the requirements set forth in this directive will have the privilege revoked.

A. Requirements

1. The Explorer must not be on probation for any reason.
2. All certified Explorers will have a written waiver from their parent or legal guardian on file with the Police Explorers. The waiver will consent to the Explorer having expressed and implied permission to participate in the

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ride along program. [<Ride Along Request>](#) [<Hold Harmless Agreement>](#)

3. Must be 16 years old to ride.
4. Must be an Explorer with the Post at least 6 months.
5. Eligible explorers must have a valid license.

B. Time/Dress/Equipment

1. The Explorer should report 30 minutes prior to briefing.
2. The Explorer will be dressed in a clean, pressed uniform with polished shoes.
3. The Explorer will have a notebook and black pen.

C. Assisting the Officer

1. The Explorer is to assist the officer by being an extra set of eyes and ears.
2. The Explorer will follow all lawful orders and directions given to him/her by the officer.
3. Any questions the Explorer may have about field contacts or procedures should be done in the privacy of the patrol car.
4. The Explorer is never to argue with the officer. Complaints on inappropriate conduct by an officer should be directed to the Advisor or Associate Advisor as soon as possible.

D. Use of Equipment

1. The Explorer will never touch, control or operate the emergency equipment unless ordered to do so by the officer.
2. They are not to assume help is needed without asking first.

E. Dangerous Situations/Emergency Drop-Off - Law enforcement by its very nature has moments of extreme danger. Situations may arise where the officer will have to terminate the ride along for the Explorer's safety.

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1. The Explorer will be dropped off at a safe public location where he/she has access to a telephone.
2. Explorers should have enough money to make a telephone call.
3. Immediately after being dropped off, the Explorer should use the nearest telephone to notify Communications Center (911) of his/her location. Communications Center will then log this and advise the Explorer if another officer will be enroute to pick them up or assist the Explorer in making arrangements to be picked up by a responsible person.
4. Explorers on a ride along should have a responsible person they can call to come pick them up quickly in these situations.
5. Once the Explorer is returned to either the station or to their home, the Communications Center will be notified so that this may be logged, showing the Explorer is safe and off duty.

F. Special Rules - Each officer has special ways of handling their patrol car and zone.

1. The Explorer should develop a rapport with the officer at the start of the shift and ask if any special rules exist.
2. Explorers should take time to show the officer that they appreciate the opportunity to ride and assist.
3. A report of all activities and actions experienced by the Explorer during the ride-along will be written in a legible, neat, well-constructed report format after each ride-along.
4. No cell phone will be used during the ride-a-long except in an extreme emergency. That will include in and outgoing calls.
5. Explorers will not video tape or use any type of recording device without the approval of the on-duty commander.

G. Limitations

1. Explorers will realize they have no police powers, or police authority.

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2. Explorers will never take enforcement action. Explorers are never to attempt to detain or arrest subjects either on duty or off duty. Explorers will never attempt to follow suspects.
3. Explorers less than 16 years of age are not authorized to participate in the Ride-Along program. Explorers 16 years of age with 6 months as an active post member with a minimum of a Florida Driver's License may accompany officers on a Ride-Along. Explorers that do not meet the ride along requirements can substitute the training with Communication Center time. Explorers will be limited to the hours that they can ride, on a midnight shift to 6 hours (Briefing 5:45 pm to 12:00 am). Explorers are not authorized to ride from 2:00 am to 6:00 am. Explorers are authorized to ride a full daytime shift. The explorer post will also be limited to four ride-along sessions a month, once a week. If one explorer rides on a given month, it will also be just four times a month once a week. The Post Advisor, or his designee, can make an exception to this policy as needed under the direction of the Chief of Police or Designee.

H. Ride-Along Emergencies - Should a serious situation develop on a ride along and it appears the officer is in imminent danger, the Explorer, if directed, should advise the Communications Center of the officer's unit number, their location and the nature of the problem. If the officer is down, the Explorer should broadcast "officer needs help," give the location, and the officer's unit number.

I. Assisting the Officer - Explorers are not expected to go to the downed officer's aid. If the Explorer's own safety is in question, they should seek a safe position and then notify Communications Center of the emergency. The Department does not require Explorers to do more than this. The Explorer's only obligation in a serious situation is to get to safety and then request aid for the fallen officer. The Explorer, should they become injured trying to assist, may not have a second chance to get help on the way.

805.15 Media Contact Rules

- A.** Any questions or any requests by the media should be politely referred to the officer or to the Department's Public Information Coordinator.
- B.** Explorers will not, under any circumstances, release any information to the media.
- C.** Failure to comply with this section will result in expulsion from the Explorer Post.